



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

A.S.(MD)No.117 of 2019

WEB COPY

1.P.Prema (Died)

2.V.Renuka Devi

... Appellants / Defendants

(cause title of the 2nd appellant is amended & 2nd appellant is recorded as LRs of the deceased 1st appellant vide Court order dated 22.09.2021 made in C.M.P.(MD)Nos.7458 & 7459 of 2021 in A.S(MD) No.117of 2019)

-Vs-

Sivagamu Ammal

... Respondent / Plaintiff

PRAYER: Appeal Suit filed under Section 96 of the Civil Procedure Code, against the judgment and decree dated 24.09.2018 passed in O.S.No.174 of 2013 on the file of the I Additional District Judge (PCR), Tiruchirappalli.

For Appellants

: Mr.M.Saravanan

for Mr.R.Subramanian

JUDGMENT

This appeal is directed against the judgment and decree dated 24.09.2018 passed in O.S.No.174 of 2013 on the file of the first Additional District Judge (PCR), Tiruchirappalli.

2.The respondent herein namely Sivagamu Ammal filed the said suit for recovery of a sum of Rs.15,75,675/-. The suit was decreed. Aggrieved by the same, the defendant has filed this appeal. During the pendency of the appeal, the matter has been settled out of the Court. A memo to this effect has also been filed. The learned counsel for the appellants informs the Court that the appeal can be dismissed as withdrawn. The memo dated 26.08.2021 is taken on record.

3.In view of the above, the appeal is dismissed as withdrawn. Since the matter has been settled out of the Court, in view of the judgment of the Hon'ble Supreme Court passed in SLP (Civil)Nos.3063 and 3064 of 2021, Registry is directed to refund the court fee paid



by the appellant. Since the first appellant has passed away, the court fee shall be refunded to the second appellant. No costs.

Sd/-

Assistant Registrar(CO)

WEB COPY

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

rmi

To

The I Additional District Judge (PCR), Tiruchirappalli.

Copy To

1. The Section Officer,
Vernacular Records,
Madurai Bench of Madras High Court,
Madurai.(2 copies)

2. The Sub Assistant Registrar,
Co- Department,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.R.SUBRAMANIAN, Advocate (SR-29952[F] dated
22/09/2021)

Judgment made in
A.S.(MD)No.117 of 2019
22.09.2021
(3/3)

KM(CO)

TR/skn(16.11.2021) 2P 6C