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IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

FRIDAY, THE 29TH DAY OF APRIL 2022

THE HON'BLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

C.S.No.131 of 2019

G.Nithya @ Seetha,
W/o.Justin K.John Mathew,
No.3, Plot No.22A,
Bharathi Nagar, 2nd Cross Street,
Pillayar Koil Street,
Ponniamman Koil,
Sholinganallur, Chennai- 600 119

..Plaintiff

VS

1.Mr.C.Kumaran,
S/o.Late G.Chandran
No.D/34, Nakeerar Nagar,
Teynampet, Chennai- 600 018

2.Mrs.C.Rani,
W/o.Late G.Chandran,
No.D/34, Nakeerar Nagar,
Teynampet, Chennai- 600 018

3. Mr.S.Sankar,
S/o.Dr.S.Srinivasan,
No.16, Arimuthu Achari Street,
Triplicane, Chennai- 600 005

4.Mr.T.Govindaraj,
S/o.Thiruvengadasamy,
No.71, Perumal Naicker Street,
Tirukoilur Town,
Villupuram District.



5. Mr.A.Ansar Ahamed,
S/o.Abdul Rahim,
New No.17, Old No.9,
H.D.Raja Street,
Eldams Road,
Teynampet, Chennai- 600 018

6.Mr.A.Jakir Ahamed,
S/o.Abdul Rahim,
New No.17, Old No.9,
H.D.Raja Street,
Eldams Road,
Teynampet, Chennai- 600 018

***7.Mr.R.Venugopal**
Advocate,
New No.17, Old No.9,
H.D.Raja Street,
Eldams Road,
Teynampet, Chennai-600 018

...Defendants

(*7th defendant removed as per the order dated 03.08.2020 in Appln.No.1593/2020 in C.S.No.131/2019).

Civil suit praying that this Hon'ble Court be pleased to pass a decree and judgment against the defendants:-

a)for a declaration that the plaintiff is the absolute and sole owner of the suit schedule property and directing the defendants, their agents, men, servants or any one acting under them to hand over the vacant possession of the suit schedule property to the plaintiff.

b)for a declaration that the sale deed dated 08.02.2006, registered as Doc.No.148 of 2006, executed by 3rd defendant in favour of 4th defendant and the sale agreement dated 21.04.2008 registered as



Doc.No.385 of 2008 executed by defendants 1 to 4 in favour of 5th and 6th defendants are null and void.

c) Directing the defendants 1 to 6(*) to pay the damages at the rate of Rs.1,00,000/- per month for suffering mentally and physically from January 2018 to till December 2018 which comes to Rs.12,00,000/- for losing the legitimate possession and title over the suit schedule property all these period.

(*)7th defendant removed as per the order dated 03.08.2020 in Appln.No.1593/2020 in C.S.No.131/2019).

d) For permanent injunction restraining the defendants their agents, servants and any one acting under them from dealing with the suit schedule property in any manner either by way of sale, lease or improvement or construction or development of any other mode of construction or creating any encumbrance or change in respect of the suit schedule property.

e) For costs of the suit.

This civil suit coming on this day before this Court for hearing in the presence of Ms.G.Nithya @ Seetha, the plaintiff herein appearing in person and Mr.M.L.Ramesh, Advocate for the defendants 1 and 2 herein and Mr.K.Surendar, Advocate for the defendants 5 and 6 herein and upon

reading the plaint filed herein and the plaintiff herein sought permission of



this court to withdraw the present suit and she has also made an endorment on the plaint stating that "Ms.G.Nithya @ Seetha, hereby affixing my consent to withdraw this present case and is now willing to withdraw",

it is ordered as follows:-

That the suit in C.S.No.131 of 2019 be and is hereby dismissed as withdrawn.

2. That there shall be no costs.

WITNESS THE HON'BLE MR. JUSTICE MUNISHWAR NATH BHANDARI, CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE 29TH DAY OF APRIL 2022.

Sd./-

ASSISTANT REGISTRAR (O.S.I)

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.



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C.S.No.131 of 2019

ORDER:-

DATED : 29.04.2022

THE HON'BLE MRS. JUSTICE
V.BHAVANI SUBBAROYAN

FOR APPROVAL: 08.06.2022

APPROVED ON : 08.06.2022



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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 29.04.2022

CORAM

THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

C.S.No.131 of 2019

G.Nithya @ Seetha

... Plaintiff

Vs.

1. C.Kumaran
2. C.Rani
3. S.Sankar
4. T.Govindaraj
5. A.Ansar Ahamed
6. A.Jakir Ahamed
7. R.Venugopal
[7th defendant removed as per
the order dated 03.08.2020 in
Appln. No.1593 / 2020 in
C.S.No.131 of 2019]

...Defendants

Civil Suit filed under Order VII Rules 1 & 2 of C.P.C read with
Order IV Rule 1 O.S.Rules praying for the following Judgment and Decree
against the defendants:

a) For a declaration that the plaintiff is the absolute and sole
owner of the suit schedule property and directing the defendants, their
agents, men servants or any one acting under them to handover the vacant
possession of the suit schedule property to the plaintiff.



b) For a declaration that the sale deed dated 08.02.2006, registered as Doc.No.148 of 2006, executed by 3rd defendant in favour of 4th defendant and the sale agreement dated 21.04.2008 registered as Doc.no.385 of 2008 executed by defendants 1 to 4 in favour of 5th and 6th defendants are null and void.

c) For directing the defendants 1 to 6 [7th defendant removed as per order dated 03.08.2020 in Appln. No.1593 / 2020 in C.S.No.131 of 2019] to pay the damages at the rate of Rs.1,00,000/- per month for suffering mentally and physically from January 2018 to till December 2018, which comes to Rs.12,00,000/- for losing the legitimate possession and title over the suit schedule property all these period)

d) For permanent injunction restraining the defendants their agents, servants and any one acting under them from dealing with the suit schedule property in any manner either by way of sale, lease or improvement or construction or development of any other mode of construction or creating any encumbrance or change in respect of the suit schedule property,

e) For costs of the suit;

f) For such other reliefs



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For Plaintiff: Ms.G.Nithya @ Seetha
Party-in-person

For Defendants: Mr.M.L.Ramesh – D1 and D2

Mr.K.Surendar for D5 and D6

J U D G M E N T

The plaintiff, Ms.G.Nithya @ Seetha, party-in-person, seeks permission of this Court to withdraw the present suit and has made the following endorsement in the bundle.

“Ms.G.Nithya @ Seetha, hereby affixing my consent to withdraw this present case and is now willing to withdraw.”

3. In view of the submission and the endorsement made by the plaintiff, the present Civil Suit is hereby dismissed as withdrawn. No costs.

Sd./-V.B.S.J.
29.04.2022

//Certified to be true copy//
Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

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