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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.01.2022

CORAM

THE HONOURABLE MR.JUSTICE R. PONGIAPPAN

S.A.No.1424 of 2011

and

M.P.No.1 of 2011

R.Ponnan

.. Appellant

Vs

P.Perumayee Ammal

.. Respondent

Prayer: The Second Appeal is filed under Section 100 of C.P.C. against the judgment and decree dated 28.02.2011 made in A.S.No.53 of 2010 on the file of Additional District Judge, Fast Track Court No.1, Salem, confirming the judgment and decree dated 20.11.2009 made in O.S.No.213 of 2007 on the file of the Principal Subordinate Judge, Salem.

For Appellant : Mr.R.Krishna Prasad
for M/s.Sarvabhuman Associates

For Respondent : Mr.P.Jagadeesan

JUDGMENT

The learned counsel appearing for the appellant filed a memo for withdrawing this appeal stating that the dispute between the appellant and the respondent has been settled in out of Court. The memo filed by the appellant is recorded.

2. Further, the learned counsel for the appellant submitted that pursuant to the order dated 15.12.2011 passed by this Court, the appellant has deposited a sum of Rs.62,000/- (Rupees Sixty Two thousand only) to the credit of O.S.No.213 of 2007 on the file of the Principal Subordinate Court, Salem. Now the learned counsel requested that the said amount as may be refunded to the appellant.

3. In view of the above submission made by the learned counsel for the appellant, the Second Appeal is dismissed as withdrawn. The trial Court (Principal Subordinate Court, Salem)



is directed to refund the amount deposited by the appellant, if any, which is lying in the credit of O.S.No.213 of 2007. No costs. Consequently, connected miscellaneous petition is closed.

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Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

rsi

To

1. The Additional District Judge,
Fast Track Court No.1,
Salem.
2. The Principal Subordinate Judge,
Salem.

+1cc to M/s.Sarvabhuman Associates, Advocate, S.R.No.4261

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M.P.No.1 of 2011

GSM(CO)
CT 09/02/2022