



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

SA.Nos.726 & 727 of 2017
and
CMP.Nos.18391 & 18392 of 2017

P.A.Nagarajan .. Appellant in both the appeals
Vs.

A.M.Patteswaraswamy Devasthanam,
Rep.by its Executive Officer,
Perur,
Coimbatore. .. Respondent in both the appeals

Prayer in SA.No.726/2017:- Second Appeal preferred under 100 of the Civil Procedure Code to set aside the judgement and decree dated 31.08.2012 of the learned III Additional Subordinate, Coimbatore passed in AS.No.54/2010, dismissing the judgement and Decree dated 12.11.2009 of the learned II Additional District Munsif, Coimbatore passed in OS.No.693 of 2003.

Prayer in SA.No.727/2017:- Second Appeal preferred under 100 of the Civil Procedure Code to set aside the judgement and decree dated 31.08.2012 of the learned III Additional Subordinate, Coimbatore passed in AS.No.55/2010, reversing the judgement and Decree dated 12.11.2009 of the learned II Additional District Munsif, Coimbatore passed in OS.No. 2633 of 2004.

In both Appeals
For Appellant : Mr.G.Ponnambalathiyagarajan
For Respondent : Ms.V.S.Usharani

COMMON JUDGMENT

- (1) After hearing the arguments at length on various legal issues and settled principles this Court pointed out that the issues raised by the appellant are contrary to the law laid by the Hon'ble Supreme Court and reiterated by Full Bench of this Court. The learned counsel appearing for the appellant then submitted that he may be permitted to withdraw these appeals as the judgements of the Lower Appellate Court at least permit the



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appellant to continue as a tenant by paying admitted/ contractual / fair rent for the premises. The Counsel prayed that these appeals may be dismissed as withdrawn. He has also made an endorsement in S.A.No.726/2017, to that effect.

- (2) Recording the submission and the endorsement made by the learned counsel for the appellant, these Second Appeals are dismissed as withdrawn. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

jrs

To

1.The III Additional Subordinate, Coimbatore.

2.The II Additional District Munsif, Coimbatore

3.The Executive Officer,
A.M.Patteswaraswamy Devasthanam,
Perur, Coimbatore.

Copy to:

The Section Officer,
VR Section,
High Court, Madras

+2 ccs to M/s.Usha Rani, Advocate Sr.NO. 29412,29413

SA.Nos.726 & 727 of 2017

and

CMP.Nos.18391 & 18392 of 2017

SJ(CO)

A.SK(16/05/2022)