



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.03.2022

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
AND
THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR**

A.S(MD)No.137 of 2014

D.Kabaleeswaran

... Appellant / Plaintiff

Vs.

1.K.Ramachandran
2.A.M.Selvarajan
3.V.Elangovan

... Respondents / Defendants

PRAYER: Appeal Suit filed under Section 96 of C.P.C., praying to set aside the judgment and decree dated 28.02.2014 in O.S.No.38 of 2011 on the file of the V Additional District and Sessions Court, Madurai.

For Appellant : Mr.Pala.Ramasamy

For R1 : Mr.T.Lajapathi Roy

For R2 : Mr.D.Nallathambi

For R3 : Mr.T.Selvan

JUDGMENT

R.SUBRAMANIAN, J.

AND

N.SATHISH KUMAR, J.

The learned counsel appearing for the appellant has filed a memo, stating that this appeal has been settled out of Court and seeks to withdraw the appeal. Hence, this Appeal Suit is dismissed as settled out of Court.

2.In view of the judgment of the Hon'ble Supreme Court in the case of ***The High Court of Judicature at Madras, rep., by its Registrar General -vs- M.C.Subramaniam & others.***, reported in **2021 CDJ SC 130**, there shall be a direction to the Registry to refund the



entire Court fee paid in the appeal to the appellant. Cheque in this regard to be issued, within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar (CS-III)

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/ /2022

Sub Assistant Registrar(CS)

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To

1.The V Additional District and Sessions Judge,
Madurai.

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

3.The Sub Assistant Registrar(CO),
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-15984[F] dated
01/04/2022)

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