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C.S.No.816 of 2010

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.12.2023

CORAM

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

C.S.No.816 of 2010

1. Mrs. Shantha Sundaram,

2. Ms. Latha Shah

...Plaintiffs

.Vs.

1.S. Siva Kumar,

2.S. Ravi Kumar,

3. K. Mannivannan,

4. M/s. Chennai Properties Private Ltd.,
Rep. By its Authorized Signatory,
Mena Kampala Arcade, 3rd Floor,
B-Wing, 113-114, Sir Theyagaraya Road,
T. Nagar, Chennai – 600 017.

(Impleaded as defendants 3 and 4 as per
order dated 17.11.2021 in A.No.826 of 2017)

Defendants

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Prayer:

Plaint filed under Order VII Rule 1 of the CPC, 1908 read with Order IV Rule 1 of the Original Side, 1957 praying for a judgment and decree as follows:-

a) Directing the partition of the Schedule-A and B Schedule mentioned properties by metes and bounds and declaring that each of the plaintiffs is entitled to an undivided 1/4th (one fourth) share in the schedule mentioned properties and for recovery of possession of such share of each of the plaintiffs;

b) Directing the defendants to render true and correct accounts of the income and receipts from the schedule mentioned properties from 09.04.2008 when C. Sundaram died till each of the plaintiffs is put in possession of the 1/4th share in the schedule mentioned properties and directing the defendants to pay each of the plaintiffs' their 1/4th share in such income profits and receipts realized from the schedule mentioned properties and/or ascertained on taking of accounts pursuant to the preliminary decree of partition;



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c) For appointing an Advocate Commissioner to effect a division of the schedule mentioned properties by metes and bounds and directing the defendants to pay the plaintiffs to pay their respective share of income and pass a final decree.

d) Granting a decree of permanent injunction restraining the defendants or any of them, their men, agents, servants and representatives from in any manner alienating and/or encumbering the A and B schedule mentioned properties;

e) Granting a decree of permanent injunction restraining the defendants or any of them, their men, agents, servants and representatives from in any manner interfering with the rights of each of the plaintiffs to possess and enjoy her share in the schedule mentioned properties and/or committing any act of waste or damage to the said properties;

f) Directing the defendants to pay the costs of the suit and

g) To pass such orders;

For Plaintiff	: Mr. R. Gokul (For S.L. Sudarsanam)
For Defendants	: Mr. S.Vennimalai for DD1&2



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A.A.NAKKIRAN.,J

Lbm

J U D G M E N T

When the matter came up today for hearing, the learned counsel for the plaintiffs seeks permission of this Court to withdraw the suit since the matter is settled out of Court and makes an endorsement to that effect.

2. In view of the endorsement made by the learned counsel for the plaintiff in the plaint, the suit is dismissed as withdrawn. No costs.

3. Registry is directed to refund the Court Fee as per the rules.

19.12.2023

Lbm

Index : No

Internet : Yes

Speaking order

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