



WEB COPY



S.A No.1110 of 2007

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.08.2023

CORAM:

THE HON'BLE MRS. JUSTICE T.V.THAMILSELVI

S.A No.1110 of 2007

Radhakishandass Gopichand
Propx.Indira Bai Gopichand (died)

1.SHEELA R.CHHABRIA

(Sheela R.Chhabria brought on record as legal heir of the deceased sole appellant Vix Indirabai Gopichand vide Court order dated 22.07.2021 made in MP No.1 of 2013 in S.A No. 1110 of 2007)

... Appellant

Vs.

- 1 M/S JYOTHI AGENCIES
REP BY ITS PROP N BALAKRISHNAN NO 18
CORPORATION SHOPPING COMPLEX DR NANJAPPA
ROAD COIMBATORE - 18.
- 2 N. BALAKRISHNAN
AGE 63 YEARS S/O. OF NEELAKANDAN NO 32 PARK
TOWN COIMBATORE- 45.
- 3 MRS SHANTHA BALAKRISHNAN
W/O. OF N BALAKRISHNAN NO 32 PARK TOWN
COIMBATORE- 45.



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4 MRS SARASWATHI
AGE 68 YEARS W/O. OF LATE THIRUMALAISWAMY
NAIDU NO 8/39 NEHRU NAGAR KALAPATTI
COIMBATORE - 35.

5 MR T. RAJENDRAN
AGE 47 YEARS S/O. OF THIRUMALAISWAMY NAIDU
NO 8/39 NEHRU NAGAR KALAPATTI COIMBATORE- 35.

...Respondents

PRAYER: This Second appeal filed under Section 100 of the Code of Civil Procedure to set aside the judgment and decree made in A.S No. 21 of 2005, dated 25.04.200, on the file of the learned Principal District Judge, Coimbatore, confirming the judgment and decree dated 17.09.2004 passed in O.S No. 1537 of 2000, on the file of the II Additional Subordinate Judge, Coimbatore.

For Appellants: Mr. Mudassir Ali
For R1, R3, R5 : Mr.S.Prabhu
For R2 R4 : Died

JUDGMENT

When the matter is taken up for hearing the learned counsel for the appellant seeks permission of this court to withdraw the second appeal, to that effect he has filed memo in which it is stated that the matter was settled out of Court. Accordingly, this second appeal is dismissed as withdrawn. Since the matter was settled out of Court, the Registry is



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directed to refund the Court fee to the concerned party within a period of two weeks. Consequentially, connected miscellaneous petitions are closed.

No cost.

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T.V.THAMILSELVI,J.

Pbl

To

1. The Principal District Judge, Coimbatore.
2. The II Additional Subordinate Judge, Coimbatore.
3. The Section Officer,
V.R Section.

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