



A.S.No.686 of 2014

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.01.2023

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR
AND
THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

A.S.No.686 of 2014

L.Thanachezhian

...Plaintiff/Appellant

-Vs-

S.Sundaram

...Defendant/Respondent

Prayer:- Appeal Suit filed under Section 96 r/w Order 41 Rule 1 of C.P.C., against the judgment and decree dated 10.06.2014 made in O.S.No.102 of 2011 passed by the learned Principal District Court, Villupuram.

For Appellant : Mr.K.Govi Ganesan

For Respondent : Mr.Ajoy Kumar Gnanam



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JUDGMENT

[Judgment of the Court was made by **S.S.SUNDAR, J.,**]

The learned counsel appearing for the respondent filed a Memo dated 25.01.2023 indicating that the entire sum of Rs.20,00,000/- with 6% interest per annum was paid as per the direction of this Court by order dated 02.01.2023. Two demand drafts [a sum of Rs.20,00,000/- dated 31.12.2022 and a sum of Rs.13,70,000/- dated 24.01.2023] were handed over to the learned counsel appearing for the appellant and the learned counsel appearing for the appellant has acknowledged the receipt of the same.

2.The learned counsel appearing for the appellant submitted that a sum of Rs.10,00,000/- was deposited by the appellant before the Lower Court, which is lying to the credit of the proceedings and the appellant should be permitted to withdraw the same.

3.The learned counsel appearing for the respondent has no objection for withdrawal of the amount by the appellant.



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4. Accordingly, the appellant is permitted to withdraw the amount within two weeks from the date of filing of an appropriate application for withdrawal of the amount.

5. In view of the payment and the submission made by the learned counsels appearing on either side, the appeal is liable to be dismissed as settled out of Court. However, the appellant is permitted to withdraw the amount which is lying to the credit of the suit in O.S.No.102 of 2011. No costs.

[SSSRJ] [AANJ]
25.01.2023

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S.S.SUNDAR, J.,
AND
A.A.NAKKIRAN, J.,

cda

To

- 1.The Principal District Court, Villupuram.
- 2.The Section Officer, VR Records,
High Court, Chennai.

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25.01.2023