



C.S.NO.457 of 2019

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED: 01.11.2023**

**CORAM**

**THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR**

**C.S.No.457 of 2019**

**&**

**A.Nos.5376 & 5377 of 2019**

C.B.Bhaskaran

.. Plaintiff

***Vs.***

1.Padmavathi Bhaskaran

2.B.Prasanthi

3.Minor B.Prajith

rep. By mother Guardian Padmavathi Bhaskaran

4.Dipin Chacko

5.E.D.Rajavarma @ Rajavelu

.. Defendants

**PRAYER:** Complaint filed under Order VII Rule 1 of the CPC., r/w. Order IV Rule 1 of the High Court Original Side Rules praying for the judgment and decree against the defendants as follows:

(i)Declaration of plaintiff's title over the suit property and for consequential recovery of vacant physical possession from the first defendant of the II Floor of the suit property and constructive possession of the rest of the portions of the suit property in occupation of tenants;

(ii)Mandatory injunction directing defendants 4 and 5 to pay directly to the plaintiff the future rents for their respective portions in the suit property;

(iii)Directing the first defendant to account to the plaintiff and pay the future mesne profits accumulated from the suit property; and

(iii)To pay the cost of the suit.



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For Plaintiff : Mr.G.Palani  
For Defendants : Mr.C.Prabhakaran

### **J U D G M E N T**

The learned counsel for the plaintiff filed an application in A.No.5691 of 2023 seeking permission of this Court to withdraw the Civil Suit as the dispute between the plaintiff and the defendants have been settled out of Court.

2.The plaintiff is none other than the husband of the first defendant herein and defendants 2 and 3 are the children of the plaintiff. Since the dispute arisen between the parties have been settled, the application filed by the plaintiff to withdraw the present suit is allowed today. In view of the order passed in A.No.5691 of 2023, the Civil Suit is dismissed as withdrawn. No costs. Consequently, connected Applications are closed.

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

**01.11.2023**

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**N.SATHISH KUMAR, J.**

DP

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**01.11.2023**