



WEB COPY



A.S.Nos. 175 & 176 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.06.2023

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

A.S. Nos.175 & 176 of 2017

and

C.M.P.Nos.7851, 10081, 10698, 9653
& 10696 of 2022

Nagaraj

... Appellant in
both A.S.s

Vs

K.S.Jagannathan (died)

2. D.G.Sidhan

3. Raji

4. Mani

5. Narayanan

Parasuraman (died)

7. Lakshmi

8. K.J.Sumathi

9. S.J.Viswanathan

10. Nithyasree

(R8 to R10 brought on record as
legal representatives of deceased

1st respondent vide order dated
22.04.2022 in C.M.P.No.7178 of 2022
in A.S.No. 175 of 2017)

.. Respondents in
A.S.No.175 of 2017



A.S.Nos. 175 & 176 of 2017

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1. Vardammal
2. The District Revenue Officer,
Collectorate Post,
Dharmapuri-5.
3. The Superintending Engineer,
Tamil Nadu Electricity Board,
Collectorate, Dharmapuri Tk.,
Dharmapuri-5.
4. The Assistant Engineer,
Tamil Nadu Electricity Board,
Lakkampatti Post,
Dharmapuri-5.
5. The Assistant Executive Engineer,
Tamil Nadu Electricity Board,
Adhiyamankottai,
Dharmapuri Tk. And Dt.
6. The District Collector,
Dharmapuri.

K.S.Jagannathan (died)

8. K.J.Sumathi
9. S.J.Viswanathan
10. Nithyasree
(R8 to R10 brought on record as
legal representatives of deceased
1st respondent vide order dated
22.04.2022 in C.M.P.No.7178 of 2022
in A.S.No. 175 of 2017)

.. Respondents in
A.S.No.176 of 2017



A.S.Nos. 175 & 176 of 2017

Prayer in A.S.No.175 of 2017 :- This First Appeal has been filed under Section 96 read with Order 41 Rule 1 of C.P.C., against the judgment and decree dated 23.11.2016 made in O.S.No.71 of 2010, on the file of learned Addl. District Judge, Dharmapuri.

Prayer in A.S.No.176 of 2017 :- This First Appeal has been filed under Section 96 read with Order 41 Rule 1 of C.P.C., against the judgment and decree dated 23.11.2016 made in O.S.No.12 of 2015, on the file of learned Addl. District Judge, Dharmapuri.

For Appellant
in both A.S.s

: Mr.G.Ethirajulu

For Respondents
in A.S.No.175 of 2017

: R1 & R6 – died

R2 to R5 – no appearance

Mr. A. Ilayaperumal for R8 to R10

For Respondents
in A.S.No.176 of 2017

: R1 & R7 – died

Ms. Hemalatha Gajapathy
Standing Counsel for R3 to R5

Mr.D.Shivakumaran for R7

Mr.T.Chandrasekaran
Special Govt. Pleader for R2 & R6

COMMON JUDGEMENT



A.S.Nos. 175 & 176 of 2017

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The learned counsel appearing for the Appellant appeared and submitted that as per the instructions of appellant, he seeks permission of this Court to post the above Appeal Suits for withdrawal on 26.06.2023.

2. Today, when the matters taken up for hearing, the learned counsel for appellant appeared and submitted that the dispute between the parties settled out of court. Therefore, the appellant may be permitted to withdraw the appeals and an endorsement has also been made to that effect.

3. In view of the submissions of learned counsel for appellant stating that the matter is settled out of court, **the Appeal Suits are dismissed as withdrawn**, No costs. So far as the petition in C.M.P.No. 7851 of 2022 is concerned, considering the submissions made by learned counsel for appellant, the Registry is directed to return the original documents viz., (1) The original Sale deed dated 08.07.2008 in Ex.A15 and (2) The original Sale deed dated 17.12.1980 in Ex.A16 and substitute the certified copy of the same and also directed to refund the entire court fee, since the matter is settled out of court. Consequently, other connected Civil Miscellaneous Petitions are closed.



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26.06.2023

Index:Yes/No
Internet:Yes/no
Speaking Order/Non Speaking Order
rpp

To

Addl. District Court,
Dharmapuri.

T.V. THAMILSELVI, J.

rpp



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and
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