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C.S.No.60 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.08.2024

CORAM

THE HONOURABLE MR. JUSTICE RMT.TEEKAA RAMAN

C.S.No.60 of 2023

and

A.Nos.4165, 4166 & 4320 of 2023

and

O.A.Nos.239 & 240 of 2023

RMC Travellers INN Pvt. Ltd.,
Represented by its Director
M.Health Tito, Residing at No.501-A
RMC House, Nalco Colony,
North Street, Kottivakkam,
Chennai 41.

... Plaintiff

Vs.

1.Mohamed Saleem
Son of Azis
Residing at No.36/82
Poes Garden, Chennai 600 086

2.Ramasamy
Late R.Subramnia Vathiyar
Residing at No.5/3
Radhakrishnan Nagar Main Road
Thiruvanmiyur, Chennai 600 041

3.Umayal Achi
S.R.M.S.Narayanan Chettiar
Residing at No.6/10
Leith Castle Center Street



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Santhome, Raja Annamalaipuram,
Chennai 600 028

4.Umayal Veerappan
@ Veerappan Umayal @ Uma Veerappan
Wife of Late AR.Veerappan
Residing at No.239/1G
New Natham Road, Narayanapuram
Madurai 625 014

5.Veerappan Arunachalam
Son of Late AR.Veerappan
Residing at Old No.12, New No.29
Bishop Garden, R.A.Puram
Chennai 600 028

6.Veerappan Manickavasagam
Son of Late AR.Veerappan
Residing at No.239/G
New Natham Road, Narayanapuram
Madurai 625 014

7.Meenakshi Veerappan @ Meenakshi
D/o.Late AR.Veerappan
Residing at No.1, River Court
902, Jersey City, NJ 0731, USA

Represented by her power agent
Veerappan Arunachalam
Son of Late AR.Veerappan
Residing at Old No.12, New No.29
Bishop Garden, R.A.Puram
Chennai 600 028

8.AR.Arunachalam
Son of Late VT.VR.Arunachalam Chettiar
Residing at Y-83, 4th Street, Anna Nagar



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Chennai 600 040

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9.AR.Subbiah

Son of Late VT.VR.Arunachalam Chettiar

Residing at No.H-2016, 5th Street

12th Main Road, Anna Nagar

Chennai 600 040

Represented by his power agent

AR.Arunachalam

Son of Late VT.VR.Arunachalam Chettiar

Residing at Y-83, 4th Street, Anna Nagar

Chennai 600 040

10.AR.Thenappan

Son of Late VT.VR.Arunachalam Chettiar

Residing at Old No.72, New No.24, V-Block

Plot No.4024, 10th Street, Anna Nagar

Chennai 600 040

11.AR.Lakshman

Son of Late VT.VR.Arunachalam Chettiar

Residing at No.H-2016, 5th Street

12th Main Road, Anna Nagar

Chennai 600 040

12.Rathna Sabesan

Wife of Late Sabesan

Residing at No.6/30, 2nd Street

East Abhiramapuram,

Mylapore, Chennai 600 004

13.Dr.Sparamswaran @ Aiyappan Sabesan

Son of Late Sabesan,

Residing at No.6/30, 2nd Street

East Abhiramapuram,

Mylapore, Chennai 600 004



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14.Dr.S.Pryadhashini
Residing at NO.499, Crestwood
Dr.London Ortario, Canada N6K2Y1

Represented by her power agent
Rathna Sabesan
Wife of Late Sabeesan
Residing at No.6/30, 2nd Street
East Abhiramapuram,
Mylapore, Chennai 600 004

15.The District Collector
Chennai District, Chennai Collector's Office
Chennai 600 001

16.The Revenue Divisional Officer
South Chennai Division, Guindy
Chennai 600 042

17.The Tahsildar
Velacherry Taluk, Chennai 600 042.

... Defendants

Prayer: Plaintiff filed under Order IV Rule 1 of Original side Rules read with Order VII Rule 1 of CPC (a) for declaration of Plaintiff's right, title and interest over the suit schedule property and for consequential permanent injunction restraining the Defendants 1 & 2, their men, agent or agents or any person or person's claiming through them from and in any manner interfering with the Plaintiff's peaceful possession and enjoyment of the Suit schedule property.

(b) For a permanent injunction restraining the Defendants 1 & 2 or anyone



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claiming under them from fabricating and registering fraudulent documents of encumbrance in respect of the Suit schedule property owned and possessed by the Plaintiff.

For Plaintiff : Mr.A.Vivek

For Defendants : Mr.B.Harikrishnan
(for D1, D2, D12, D13, D14)
Mr.E.Hariharan (for D3)
Mr.R.Ganesh Kanna (for D4 to D7)
Mr.GRM Palaniappan (for D8)
Mr.T.V.Sekar (for D11)
Dr.S.Suriya (for D15, D16 & D17)
Additional Government Pleader

JUDGMENT

When the matter is taken up, learned counsel for the Plaintiff seeks leave of this Court to withdraw this Petition. He has also made an endorsement to that effect. Learned counsel for the Plaintiff and the learned counsel for the first Defendant filed a joint memo dated 15.07.2024, seeking dismissal of this Suit as settled out of Court. The said joint memo dated 15.07.2024 is hereby recorded.



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2.In view of the submissions and endorsement made by the learned counsel for the Plaintiff and the joint memo dated 15.07.2024 filed by the learned counsel for the Plaintiff and the learned counsel for the first Defendant, this Suit is dismissed as withdrawn and court fee shall be refunded as per rules. Consequently, connected Applications are closed.

05.08.2024

Index : Yes/No
Neutral citation : Yes/No
Speaking Order/Non-Speaking Order

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RMT.TEEKAA RAMAN.J,

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