



WEB COPY

A.S.Nos.300, 301 and 351 of 2



THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.04.2024

CORAM:

THE HONOURABLE MR. JUSTICE R.SUBRAMANIAN
AND
THE HONOURABLE MR. JUSTICE R.SAKTHIVEL

A.S.Nos.300, 301 and 351 of 2018

and

C.M.P.Nos.8848 of 2018 and 12765 of 2022

A.S.No.300 of 2018:

- 1.G.Babuji (Died)
- 2.B.Vasugi
- 3.Deepa
- 4.B.Sathyanarayan

[The appellants 2 to 4 are brought on record as LR's of deceased 1st appellant vide order dated 23.11.2022 made in CMP.Nos.19673, 19674 and 19676 of 2022]

... Appellants

Vs.

1.M.Velu

2.M.Sengottaiyan

... Respondents

Prayer: Appeal Suit filed under Order 41 Rule 1 read with Section 96 of the Code of Civil Procedure praying to set aside the judgment and decree dated 06.11.2017 made in O.S.No.6 of 2012 on the file of the learned Principal District Court, Namakkal.



A.S.No.301 of 2018:

1.G.Babuji (Died)

2.B.Vasugi

3.Deepa

4.B.Sathyanarayan

[The appellants 2 to 4 are brought on record as LR's of deceased 1st appellant vide order dated 23.11.2022 made in CMP.Nos.19680, 19682 and 19685 of 2022]

... Appellants

Vs.

Muthu Gounder (Died)

1.Rajammal

2.M.Velu

3.M.Sengottaiyan

4.K.Sudha

... Respondents

Prayer: Appeal Suit filed under Section 96 read with Order 41 Rule 1 of the Code of Civil Procedure praying to set aside the judgment and decree dated 06.11.2017 made in O.S.No.5 of 2012 on the file of the learned Principal District Court, Namakkal.

A.S.No.351 of 2018:

1.G.Babuji (Died)

2.B.Vasugi

3.Deepa

4.B.Sathyanarayan



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[The appellants 2 to 4 are brought on record as LR's of deceased 1st appellant vide order dated 23.11.2022 made in CMP.Nos.19667, 19671 and 19675 of 2022]

... Appellants

Vs.

1.Loganathan

2.Naveenkumar

3.Praveenkumar

... Respondents

Prayer: Appeal Suit filed under Order 41 Rule 1 read with Section 96 of the Code of Civil Procedure praying to set aside the judgment and decree dated 06.11.2017 made in O.S.No.50 of 2012 on the file of the learned Principal District Court, Namakkal.

For Appellants : Mr.N.Manokaran

For Respondents : Mr.R.Marudhachalamurthy

COMMON JUDGMENT

(Judgment of the Court was delivered by **R.SUBRAMANIAN, J.**)

Mr.N.Manokaran, learned counsel appearing for the appellants would submit that all the appeals are settled out of Court and seeks to withdraw the appeals.



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2. Recording the statement made by the learned counsel for the appellants, these appeals are **dismissed as settled out of Court**. In view of the Judgment of the Hon'ble Supreme Court in *High Court of Judicature at Madras Represented by its Registrar General Vs. M.C.Subramaniam and others* reported in (2021) 3 SCC 560, there will be a direction to re-fund the Court fee paid in these appeals by the appellants. No costs. Consequently, the connected miscellaneous petitions are closed.

(R.S.M., J.) (R.S.V., J.)
02.04.2024

dsa

Index : No

Internet : Yes

Neutral Citation : No

Speaking order

To

The Principal District Judge,
Namakkal.



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A.S.Nos.300, 301 and 351 of 2

R.SUBRAMANIAN, J.
and
R.SAKTHIVEL, J.

dsa

A.S.Nos.300, 301 and 351 of 2018

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