



WEB COPY



O.S.A.No.372 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.02.2024

CORAM

**THE HONOURABLE MR.JUSTICE M.SUNDAR**

and

**THE HONOURABLE MRS.JUSTICE K.GOVINDARAJAN**

**THILAKAVADI**

**O.S.A.No.372 of 2018**

E.Arokiaraj Rocky

S/o.Late Edmond Soosay

... Appellant

Vs.

E.Soosay Raj @ Soosay Das Sagayaraj

S/o.Late Edmond Soosay

.. Respondent

Original Side Appeal filed under Order 36 Rule 1 of Original Side Rules praying to set aside the decree and judgment dated 03.07.2018 passed in C.S.No.457 of 2014.

For Appellant : Mr.C.Nithysh Sekhar

For Respondents : Mr.A.Velmurugan

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

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

Captioned intra-court appeal i.e, 'Original Side Appeal' ['OSA'] has been listed under the cause list caption 'FOR WITHDRAWAL' at the



O.S.A.No.372 of 2018

instance of counsel on record for appellant.

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2. Learned counsel on record for appellant has filed a memo dated 01.02.2024 in this regard and a scanned reproduction of the same together with docket is as follows:

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**  
(APPELLATE JURISDICTION)  
O.S.A.No: 372 of 2018  
IN  
C.S.No: 457 of 2014

Mr. E. ARJUNARAJ ROCKY  
S/o Late, Mr. Edmund Soosay, aged about 36 years,  
No: 47/23, P.V. Koil Street,  
Royapuram, Chennai - 600 013 .....Appellant/Plaintiff

**Verus**

Mr. E. SURESH RAO @ SURESH DAS SAGAYARAJ,  
S/o Late, Mr. Edmund Soosay, aged about 51 years,  
No: 40/73/1, West Madras Church Street,  
Royapuram, Chennai - 600 013 .....Respondent/Defendant

**MEMO FILED BY THE APPELLANT**

It is submitted that above appeal preferred from the Decree and Judgment of the Hon'ble Mr. Justice N. SATISH KUMAR, dated the 24 day of July, 2018 in the ordinary original civil jurisdiction of this Hon'ble Court in C.S.No: 457 of 2014 filed by the appellant/plaintiff. After the long pending this appellant not interested to continue the above appeal and also like to withdraw the appeal.

PAGE - 1



O.S.A.No.372 of 2018

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It is therefore prayed that this Hon'ble Court may be pleased to permit the appellant/plaintiff to withdraw and not press the above OSA.No: 372 of 2018 on the file of this Hon'ble Court and this memo may be recorded and thus render justice.

Dated at Chennai on 1<sup>st</sup> day of February, 2024

Counsel for Appellant

Appellant



O.S.A.No.372 of 2018

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**CHENNAI DISTRICT**

**IN THE HIGH COURT OF JUDICATURE  
AT MADRAS**  
(Special Appellate Jurisdiction)

**O.S.A.No: 372 of 2018**

**IN**

**C.S.NO: 457 of 2014**

Mr. Arokiaaraj Rocky  
.....Appellant/Plaintiff

**Versus**

Mr. Soosay Raj @ Soosay Das Sagayarraj  
.....Respondent/Defendant

**MEMO FILED BY THE APPELLANT**

4408 I-SEP

4408

RECEIVED  
07 SEP 2018  
HIGH COURT OF JUDICATURE  
AT MADRAS  
APPELLATE

M/S

C. NITHYSH SEKSHAR -MS.125/1998

L. MURUGESAN -MS. 2014/3003

K.R. SANTHAKUMARI- MS.686/2003

G. THIANGARAJ MS.932/2016

Counsel for Appellant/Plaintiff  
Mobile: 8760412451

8760412451



O.S.A.No.372 of 2018

3. Today, Mr.C.Nithyash Sekhar, learned counsel on record for appellant has also made an endorsement in the case file and a scanned reproduction of the same is as follows:

It is submitted that  
at request of the  
appellant/plaintiff I have  
withdrawn as not  
pressed the original  
Side Appeal, which  
would be recorded

13/2/2024  
Counsel for Appellant  
C.NITHYASH SEKHAR

In the light of the narrative thus far, captioned OSA is dismissed as withdrawn. There shall be no order as to costs

(M.S.,J.)

(K.G.T.,J.)

13.02.2024

Index : Yes / No

Speaking / Non-speaking

Neutral Citation : Yes / No

*mk*

Page Nos.5/6



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*O.S.A.No.372 of 2018*

**M.SUNDAR, J.,**  
**and**  
**K.GOVINDARAJAN THILAKAVADI, J.,**

mk

To

The Sub-Assistant Registrar  
Original Side  
High Court, Madras.

O.S.A.No.372 of 2018

13.02.2024

Page Nos.6/6