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C.R.P.(PD).No. 3625 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 05.09.2024

CORAM

THE HONOURABLE Mr. JUSTICE V. LAKSHMINARAYANAN

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1.S.Elizabeth
2. R.Anandharaj
3.R.Chinnaraj
4.Jayamani
5.A.Elizabeth
6.M.Geetha
7.A.Amutha

...Petitioners

Vs.

1.V.K.S.Subash
2.Jagan
3.S.Bharathidasan
4.M.Sundar Raj
5.S.Jhansirani
6.S.K.Aswin Sidharth
7.Kalyana Sundara Perumal
8.The Secretary to Government
Housing and Urban Development,
Secretariat, St. George Fort, Chennai 9.
9.The Member Secretary,
Chennai Metropolitan Development Authority,
Egmore, Chennai 8.
10.The Commissioner, Greater Chennai Corporation
Rippon Building, Chennai 3.
11.The Managing Director,
Tamil Nadu Housing Board,



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- Nandanam, Chennai 35.
- 12.The Inspector General of Registration
No. 100, Santhome High Road,
Chennai 28.
- 13.The Sub Registrar,
Konnur Sub-Registrar Office,
Ambattur, Chennai 53.
- 14.The Inspector of Police
V-7 Nolambur Police Station,
Nolambur, Chennai 600037.
- 15.The Commissioner of Police
Vepery, Chennai 7
- 16.The District Collector
Chennai District,
Rajaji Salai, Chennai 1.
- 17.The Branch Manager
The Federal Bank Ltd, No. C 48,
TNHB Complex, 2nd Avenue,
Anna Nagar, Chennai 40.
- 18.The Managing Director
The Federal Bank Ltd, Regd.
Office Federal Towers Post Box No. 103,
Aluva, Ernakulam Keral 683101.
- 19.The Asst. Executive Engineer O and M
Tamil Nadu Electricity Board,
JJ Nagar East, Chennai 37.
- 20.P.Arulraj
- 21.P.Jerlin ...Respondents

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India to allow IA No. 07 of 2024 in OS No. 225 of 2023 on the file of the District Munsif Court, Ambattur.

For Petitioners : Mr.D.Babu Varadharajan



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ORDER

This Civil Revision Petition is filed against the adjournment granted by the learned District Munsif at Ambattur to the proceedings pending before him in O.S.No.225 of 2023.

2. The plaintiffs filed an application in I.A.No.7 of 2024 to dismiss the suit as settled out of court. They filed the application invoking the provisions of Order XXIII Rule 1 of the Code of Civil Procedure. The learned District Munsif has adjourned the matter for the purpose of receiving a counter to the said application. Hence the revision.

3. When the matter was taken up, Mr.Babu Varadharajan would submit that he does not want the suit to be dismissed as settled out of court, but he will be satisfied even if a simplicitor order of dismissal of the suit as withdrawn is passed by the learned Trial Judge.

4. Taking into consideration the request of Mr.Babu Varadharajan, the



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suit in O.S.No.225 of 2023 shall stand dismissed as withdrawn. The learned Trial Judge is requested to record this order and pass the consequential proceedings. It is made clear that the Court is not recording any settlement alleged to have been arrived at between the parties. The plaintiffs are always at liberty to abandon the proceedings initiated by them. It is in the exercise of that power that the plaintiffs seek to withdraw the proceedings.

5. The case is said to be listed tomorrow i.e., on 06.09.2024 before the Trial Court and therefore, the learned District Munsif, Ambattur is requested to act on the webcopy of the order passed by this court, when it is produced by the petitioners.

6. With the above directions, this civil revision petition is ordered. No costs.

05.09.2024

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Index : Yes/No
Speaking order/Non speaking order
Neutral Citation : Yes/No



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To

The District Munsif Court, Ambattur



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V.LAKSHMINARAYANAN, J.
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