



WEB COPY



O.S.A.No.202 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.01.2024

CORAM

THE HON'BLE Mr. JUSTICE R. MAHADEVAN
AND

THE HON'BLE Mr. JUSTICE MOHAMMED SHAFFIQ

O.S.A.No.202 of 2023

AND

C.M.P.Nos.23782 & 23785 of 2023

S.Balasubramani

.. Appellant

Vs.

Dr.A.B.Selvarangan (Died)

1.S.Rajalakshmi

2.Dr.S.Selvakumar

.. Respondents

Original Side Appeal filed under Order XXXVI Rule 1 of Original Side Rules read with Clause 15 of Letters Patent, against the order dated 21.08.2023 passed in C.S.No.645 of 2015.

For Appellant : Mr.R.Munuswamy

For Respondents : Mr.R.Thiagarajan
for Mr.A.Ganesan

JUDGMENT

(Judgment of the court was delivered by R. MAHADEVAN, J.)

This original side appeal arises from the interim order dated 21.08.2023 passed by the learned Judge in C.S.No.645 of 2015, thereby directing the



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Registry to de-link C.S.No.645 of 2015 from the other suits and post for framing issues on 28.08.2023 by listing it before the appropriate bench.

2. Today, when the matter was taken up for consideration, the learned counsel appearing for the appellant submitted that the stand of the appellant / who is the plaintiff in CS No.645 of 2015, was not properly represented before the learned Judge at the time of hearing the suit, which resulted in passing of the order impugned herein and hence, he is inclined to file a review application before the learned Judge, within a period of one week. Stating so, the learned counsel sought permission of this court to withdraw this original side appeal with the said liberty to the appellant. He has also made an endorsement in the case bundle, to that effect.

3. In view of the submission and endorsement made by the learned counsel for the appellant, this writ appeal is dismissed as withdrawn, with liberty as sought by the learned counsel. No costs. Connected Miscellaneous Petitions are closed.

[R.M.D,J.] [M.S.Q, J.]
22.01.2024

Neutral Citation : Yes/No
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