



WEB COPY



A.S. NO.470 OF 2018

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 09.07.2025**

**CORAM:**

**THE HONOURABLE MR. JUSTICE R.SAKTHIVEL**

**A.S.NO.470 OF 2018**

Chinnaraji

... Appellant

**Vs.**

1. M.P.Murugesan
2. Marappa Gounder
3. Muthuayee
4. Mani
5. Sasikumar
6. Kalaiyarasan

... Respondents

**PRAYER** : This Appeal Suit filed under Section 96 of the Code of Civil Procedure, 1908, praying to set aside the Judgment and Decree dated February 14, 2017 passed in O.S.No.271 of 2013 on the file of the II Additional District Court, Salem.

|               |   |                                                       |
|---------------|---|-------------------------------------------------------|
| For Appellant | : | Ms.R.Meenal                                           |
| For R1        | : | Ms.Chitra Maragatham<br>for M/s.P.Veena Suresh        |
| For R2 to R6  | : | Mr.B.Santhana Gopala Krishnan<br>for Mr.R.Nalliyappan |

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

When the matter was listed before this Court on June 25, 2025, Ms.R.Meenal, learned counsel on record for the appellant, filed a memo dated June 16, 2025, along with a letter dated June 13, 2025,

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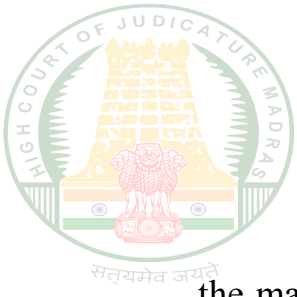
written by the appellant, seeking permission of this Court to withdraw the

Appeal Suit on the ground that the appellant and the respondents have arrived at a compromise and settled the matter out of Court. The said memo was duly signed by the learned counsel for the appellant as well as by the respondents, stating 'no objection'. Accordingly, recording the said memo, the Appeal Suit was dismissed as settled out of Court on June 25, 2025.

2.However, on the very next day, i.e., June 26, 2025, before the order was signed and despatched, the learned counsel on record for the first respondent appeared before the Court and submitted that the matter was not, in fact, settled out of Court. However, she stated that she had no objection for the withdrawal of the Appeal Suit. Accordingly, the matter was directed to be listed today under the caption 'for being spoken to'.

3.Today, when the matter was taken up for hearing, Ms.R.Meenal, learned counsel on record for the appellant; Ms.Chitra Maragatham, representing Ms.P.Veena Suresh, learned counsel on record for the first respondent; and Mr.B.Santhana Gopala Krishnan, representing Mr.R.Nalliyappan, learned counsel on record for respondents 2 to 6, appeared before this Court.

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4.The learned counsel for the appellant submits that although

the matter was compromised between the parties, she seeks permission of this Court to withdraw the appeal, rather than having it dismissed as settled out of Court.

5.Learned Counsel appearing for the first respondent reiterates that no compromise was entered into between the appellant and the respondents. However, she has no objection for the withdrawal of the Appeal Suit.

6.In view of the submissions made by both sides, this Court permits the appellant to withdraw the Appeal Suit. Accordingly, this Appeal Suit is dismissed as withdrawn. No costs.

**09.07.2025**

Index : Yes/No  
Speaking order : Yes/No  
Neutral Citation : Yes/No  
AV/TK

To

The II Additional District Court, Salem.

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**R.SAKTHIVEL, J.**

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