

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.06.2014

CORAM

THE HONOURABLE MR. JUSTICE P.R.SHIVAKUMAR

S.A.No.1201 of 2006

&

M.P.No.2 of 2006

1.M.I.Abdul Alim
S/o. R.M.Ismail
Rep. By Power Agent
Udhuman Ali Farook
No.77-A, Pallivasal Street
Cuddalore O.T
Cuddalore District

2. Udhuman Ali Farook

... Appellants/Defendants

-Vs-

Ahmed Nachiar

... Respondent/Plaintiff

Second Appeal filed under Section 100 of the Code of Civil Procedure against the judgment and decree dated 29.06.2005 rendered in A.S.No.69 of 2004 on the file of the II Additional Subordinate Judge, Cuddalore, by confirming the judgment and decree dated 28.07.2004 passed in O.S.No.417 of 2001 on the file of the Principal District Munsif, Cuddalore.

For Appellants : Mr.T.S.Baskaran

For Respondents: Mr.R.Sunilkumar

JUDGMENT

Learned counsel for the appellants submitted a memo, which reads as follows:

"It is submitted that the respondent filed the suit for partition and separate possession of the suit property. The Courts below granted decree for partition.

Now pending the second appeal the dispute between the parties had settled out of court. The respondent/plaintiff had executed a registered sale deed dated 29.08.2013 in favour of the appellants/defendants. Hence the appellants have decided to withdraw the second appeal as settled out of court.

It is therefore prayed that this Hon'ble Court may be pleased to dismiss the second appeal as settled out of Court and render justice."

2. Learned counsel for the appellants has also made an endorsement praying for the dismissal of the second appeal as withdrawn.

3. The memo and the endorsement are recorded and the second appeal is dismissed as withdrawn. Consequently, the connected miscellaneous petition is closed. No costs.

Sd/-
Asst. Registrar[CS-IV]
DT/-8.7.2014.

/True Copy/

Sub Asst. Registrar.

gpa

To

1. II Additional Subordinate Judge
Cuddalore

2. The Principal District Munsif
Cuddalore.

Copy to

The Section Officer, V.R. Section, High Court, Madras.

+ 1 cc to Mr.T.S.Baskaran, Advocate , Sr.No.27816

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