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A NO. 3396 of 2025
IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **23-07-2025**

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

A.No. 3396 of 2025

in

C.S.No.41 of 2024

Mrs.Shoba Daniel
No.314,5th Cross Road, Kalyan Nagar, 3rd Block,
Bengaluru - 560043.

Applicant(s)

Vs

Col.E.S.Sathyanesan (retd) And 2 Others
No.22, Old No.15,12th Cross Street, Shasri Nagar,
Chennai - 600 020 and 2 Others

Respondent(s)

For Applicant(s):

Mr.Ravi Jagan

For Respondent(s):

Mr.D.Daniel

ORDER

The present application has been filed to modify the order dated 21.04.2025 in C.S.No.41 of 2024 and expressly grant liberty to the plaintiff to file a fresh suit in respect of the same cause of action and reliefs.



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2. This Court had passed a judgment on 21.04.2025 in C.S.No.41 of 2024. On that day, the learned counsel appearing for the plaintiff had made an endorsement to withdraw the suit with liberty to file a fresh suit. However, the said liberty was not reflected in the judgment. Hence, the present application has been filed, seeking modification of the order to incorporate the liberty sought.

3. In such view of the matter, the present application stands ordered as prayed for and accordingly, Paragraph No.2 of the judgment made in C.S.No.41 of 2024 dated 21.04.2025 shall stand modified and be read as follows:

“2. Recording the above said submission and the endorsement made by the learned counsel for the plaintiff, the suit in C.S.No.41 of 2024 stands dismissed as withdrawn with liberty to the plaintiff to file a fresh suit.”

23-07-2025

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Note: Registry is directed to return the original documents filed along with.



the plaint to the plaintiff.

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To

1. Col.E.S.Sathyanesan (retd) And 2 Others

No.22, Old No.15,12th Cross Street, Shasri Nagar,
Chennai - 600 020

2. Dr.Samuel Newton Sathyanesan

No.22, Old No.15, 12th Cross Street, Shastri Nagar, Chennai - 20 Also
Residing At No.900, S.Collen Ln, Sioux Falls, South Dakota, Usa - 57106.

3. Mrs.A.Shanti Raj

No.39, I Floor, Anna Enclave, Ingambakkam, Ecr Road, Chennai - 600 115.



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K.KUMARESH BABU, J.

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