



S.A.No.1399 of 2002 and
Cross Obj (MD) No.7 of 2005

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

S.A.No.1399 of 2002
and
Cross Obj.(MD) No.7 of 2005

S.A.No.1399 of 2002:

Jauferaysha Beevi

... Appellant/1st Respondent
Plaintiff

Vs.

1. A.M.V.M.V. Mohammed Madar
Saheb (Died)

... 1st Respondent/Appellant/
2nd Defendant

2. Ayished Jaseela

... 2nd Respondent/2nd Respondent/
1st Defendant

3. Badurinnisha Beevi

4. Yasar Arafath

5. Vappa Sahib Maraikayar

6. Syed Abdul Kader

... Proposed Respondents

(Respondents 3 to 6 are brought on record as LRS of the deceased 1st Respondent vide order of this Court dated 01.12.2021 made in MP(MD) Nos. 1 to 3 of 2009 in S.A.No.1399 of 2002)

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PRAYER: Second Appeal is filed under Section 100 of C.P.C., against the decree and judgment dated 21.05.2002 made in A.S.No.1 of 2000 on the file of the Additional District Judge, Ramanathapuram, reversing the well considered judgment and decree dated 29.10.1999 made in O.S.No.33 of 1995 on the file of the Subordinate Judge, Ramanathapuram.

For Appellant : Mr.S.Vellaichamy
for M.V.Venkataseshan

For Respondents : No appearance

Cros Objection (MD)No.7 of 2005:

1. A.S.V.M.V. Mohammed Madar
Saheb (Died) ... Cross Objector/1st Respondent
2. Badurinnisha Beevi
3. Yasar Arafath
4. Vappa Sahib Maraikayar
5. Syed Abdul Kader ... Proposed Cross Objectors

(Cross Objectors 2 to 5 are brought on record as LRS of the deceased Cross Objector vide order of this Court dated 01.12.2021 made in MP(MD) Nos. 1 to 3 of 2009 in S.A.No.1399 of 2002)



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-Vs-

1. Jaufer Aysha Beevi

2. Ayished Jaseela

... Respondents

PRAYER: Cross Objection filed under Order 41 Rule 22 of Civil Procedure Code, to set aside the findings rendered in A.S.No.1 of 2000 on the file of the Additional District Judge-cum- Chief Judicial Magistrate, Ramanathapuram, dated 21.05.2002 and grant a decree in favour of the Cross Objector in the above Second Appeal.

For Cross Objectors : No appearance

For R1 : Mr.S.Vellaichamy
For M.V.Venkataseshan

COMMON JUDGMENT

The learned counsel appearing for the appellant in the second appeal has circulated a letter to the Registry to the effect that the appellant would like to withdraw the Second Appeal and he is accompanied by the letter of the party indicating that they have amicably settled the matter out of Court.



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2. Hence, this Second Appeal stands dismissed as withdrawn. Consequently connected Cross Objection stands closed. There shall be no order as to costs.

3. The Registry is directed to refund the Court fee to the appellant as the mater has been settled out of Court.

25.07.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
ebsi

To

1. The Additional District Judge,
Ramanathapuram.

2. The Subordinate Judge,
Ramanathapuram.



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R.VIJAYAKUMAR,J.

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