



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.11.2016

CORAM:

THE HONOURABLE MR. JUSTICE M. SATHYANARAYANAN
and
THE HONOURABLE MRS. JUSTICE J. NISHA BANU

A.S. (MD) No.186 of 2015
and M.P. (MD) No. 2 of 2015

P.Jothi

... Appellant/Plaintiff

Vs.

1.S.Alaganantha Marthandan
2.A.Rathna Devi
3.A.Muthukumar
4.A.Jawahar
5.A.Sekar
6.A.Balasaravanan
7.R.Jeyalakshmi
8.A.Uma
9.P.S.Ramesh Babu
10.R.Ravichandran
11.I.S.Kalaimathi

... Respondents/Defendants

Prayer: Appeal Suit is filed under Order 41 Rule 1 r/w Section 96 of CPC against the judgment and decree dated 28.03.2014 made in O.S.No.67 of 2011 on the file of the Principal District Judge, Tirunelveli.

For Appellant : Mr.A.Saravana Kumar
for Mr.Vastlaw Associates

1st Respondent : Died

For Respondents : No appearance
2, 3 and 5 to 11

For 4th Respondent : Mr.P.Senthur Pandian

* * * * *

J U D G M E N T

(Judgment of this Court was delivered M.SATHYANARAYANAN, J.)

Learned counsel for the appellant on instruction has circulated a letter to the Registry praying for withdrawal of the Appeal Suit. He has also made an endorsement to that effect in the Memorandum of Grounds of Appeal.



2. Heard the submissions of the learned counsel for the appellant and the learned counsel for the fourth respondent

3. Learned counsel for the 4th respondent would submit that he has also filed a Cross Appeal, which is yet to be taken on file.

4. In view of the letter and the endorsement made, this Appeal Suit is dismissed as withdrawn. The Fourth respondent is at liberty to file independent appeal suit. No costs. Consequently, connected Miscellaneous Petition is also dismissed.

Sd/-

Assistant Registrar (Crl.Side)

/True Copy/

Sub Assistant Registrar

sj

To,

The Principal District Judge, Tirunelveli.

Copy To: The Section Officer, V.R. Section,
Madurai Bench of Madras High Court, Madurai.

+1CC to Mr. P. Senthur Pandian, Advocate Sr.No. 69716

GJM/EM/MPA/28.12.16-2p-4C

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