



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Thursday, the Twenty Second day of February Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice S.S.SUNDAR

CMP(MD) No.5814 of 2016
IN
AS(MD) No.200 of 2011

1 SRINIVASA VARADHAN (DIED)
2 S.SUKANYA (DIED)
3 S.SATHEEMANI (DIED)
4 S.APRAMEYAN (DIED) ...PETITIONERS/DECEASED APPELLANTS
1 TO 3 & 6

5 SMT.LAKSHMI S.VARADHAN
6 S.VENKADA VARADHAN,
7 S.SESHADRI VARADHAN,
8 S.NARASIMHA VARADHAN
(APPELLANTS 5 TO 8 BROUGHT AS LRS OF
DECEASED 1ST APPELLANT VIDE COURT
ORDER DATED 12.01.2016 MADE IN
MP(MD)NO.1/2014 IN AS(MD)NO.200/2011
BY CSKJ) ... PETITIONERS/PROPOSED APPELLANTS
7 TO 10

Vs

1 THE MADURA TALKIES PVT. LTD.
NO.3, SOURASHTRA MAIN GUARD SQUARE,
MADURAI-625 001.
2 THE MADURAI TALKIES PVT.LTD.,
MADURAI, REP. BY ITS MANAGING DIRECTOR,
THIRU T.B.K.RAMADOSS.
3 THE MADURAI TALKIES PVT. LTD.,MADURAI
REP. BY ITS MANAGING DIRECTOR,
THIRU P.A.B.K. BALASUBRAMANIAN
4 THE MADURAI TALKIES PVT.LTD., MADURAI,
REP. BY ITS MANAGING DIRECTOR,
THIRU.P.K.MOTHILAL
5 THE MADURAI TAKIES PVT.LTD.,MADURAI,
REP. BY ITS MANAGING DIRECTOR,
THIRU.N.S.MOTHILAL, ...RESPONDENTS 1TO4/RESPONDENTS
1 TO 5

6 K.R.SHYAM

<https://hcservices.ecourts.gov.in/hcservices/>

7 K.R.SURESH,

... RESPONDENTS 6&7/
APPELLANTS 4&5



Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to pass suitable orders to transpose respondents 6 and 7 who are appellants 4 and 5 in the regular appeal in A.S(MD) No.200 of 2011 as respondents 6 and 7 in the main appeal.

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Prayer in AS(MD). 200/ 2011 :

To allow this Appeal and thereby to set aside the decree and judgment of the Learned 1st Additional District Judge, Madurai dated 30/03/2011 and passed in O.S.No.363/2004 of that Court and decree the suit as prayed for in the plaint with costs throughout and thus render justice.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.S.PARTHASARATHY, Advocate for the petitioner and of MR.A.R.SETHUPATHY, Advocate for R4&5 and R6&7 not appeared in person or by an Advocate the court made the following order:-

The learned Counsel for the petitioner seeks permission of this Court to withdraw this petition, so that the person who is sought to be transposed can also prosecute the appeal independently along with the petitioner. The learned Counsel for the petitioner made an endorsement to that effect.

2.Permission is granted and this petition is dismissed as withdrawn.

3.Office is directed to post the main appeal along with CMA(MD) No.348 of 2012.

sd/-
22/02/2018

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO
THE I ADDITIONAL DISTRICT JUDGE, MADURAI

ORDER
IN
CMP(MD) No.5814 of 2016
IN
AS(MD) No.200 of 2011
Date :22/02/2018