



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

Friday, the Sixth day of April Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.SUNDAR

CMP(MD) No.9673 of 2016

IN

AS No.945 of 1997

1 R.SUSILA (DIED) ...1st PETITIONER/1st APPELLANT

2 RAMACHANDRAN,

3 R.RAVIKUMAR,

4 R.RAJAGOPAL,

... PETITIONERS 3 & 4/
PROPOSED APPELLANTS 3 & 4

Vs

1 T.V.SHANMUGASUNDARAM PILLAI,
NO.23, CHTCHERY ROAD, THANJAVUR TOWN,

2 B.SAMPATH,

3 M/S.MOTHI & SONS,
OPP. VEERARAGHAVA HIGH SCHOOL,
SOUTH MAIN ROAD, THANJAVUR TOWN,
THROUGH ITS PROPRIETOR,

4 THE KARUR VYSYA BANK
SOUTH MAIN ROAD, THANJAVUR TOWN THROUGH ITS
BRANCH MANAGER

5 RAVI,

6 AMSAVALLI,

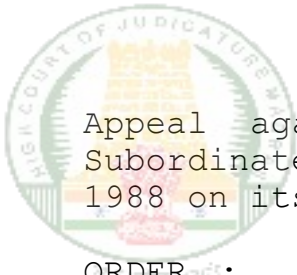
7 JEBAKUMAR,

8 RAVIKUMAR,

9 RAJAGOPALAN,

... RESPONDENTS/RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to record the 2nd appellant as legal heirs of the deceased 1st appellant viz., Susila and to bring on record the proposed appellants 3rd & 4th herein as legal representative of the deceased 1st appellant viz., Susila and rank them as appellants 3 & 4 in the above appeal in A.S(MD)No.945 of 1997



Appeal against the Judgment and Decree of the Court of the Subordinate Judge, Thanjavur, dated 10.03.1993, made in O.S.No.56 of 1988 on its file, for the following, amongst other

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. A.MOHAMED HANIFF, Advocate for the petitioner and of MR.P.MALINI, Advocate for R2, the court made the following order:-

Mr.A.Mohamed Haniff, learned counsel for the petitioners is before this Court.

2.This petition has been taken out for bringing on record legal heirs, as first appellant is no more.

3.Mr.A.Mohamed Haniff, learned counsel submits that legal heirs of first appellant are already on record and he will file a memo to this effect for recording the legal heirs, who are already on record and therefore, seeks permission to withdraw this petition. He has made an endorsement in the Court file, which reads as follows:

"Legal heirs of 1st Appellant already on record in the above Appeal 2nd Appellant and 8th and 9th Respondents. Hence, it is not necessary to further adjudicate to proceed in the Application. Hence, I may be permitted to withdraw".

4.In the light of the submission made and endorsement made in the case file, this petition is dismissed as withdrawn. No costs.

sd/-
06/04/2018

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

TO
THE SUBORDINATE JUDGE
THANJAVUR

ORDER
IN
CMP (MD) No.9673 of 2016
IN
AS No.945 of 1997
Date :06/04/2018