



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

Thursday, the Twentieth day of December Two Thousand Eighteen

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PRESENT

The Hon`ble Mrs.Justice T.KRISHNAVALLI

CMP(MD) No.5393 of 2018

IN

SA(MD) No.1763 of 2002

PAKKIANATHAN

... PETITIONER/PETITIONER/APPELLANT

Vs

1 THE COMMUNIST (MARXIST)
PARTY OF INDIA,
VILAVANCODE TK.
COMMITTEE REP BY ITS SECRETARY
GOPIDHAS NELLIVILAI
VEEDU VILAVANCODE DESOM, AND TK.
KANYAKUMARI DISTRICT.

2 CHRISTOPHER
3 V.C.CHANDRASEKARAN
4 CHELLAN
5 KRISHNAN
6 RAMESH
7 THANKARAJ (DIED)
8 PUSHPA BABY
9 T.JAWAHAR
10 T.RAJESH
11 SHEEBA ISSAC

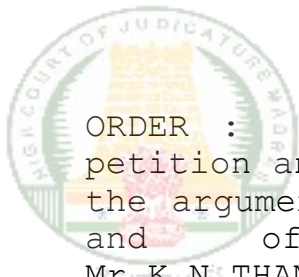
...RESPONDENTS/RESPONDENTS/RESPONDENTS

...LR'S OF DECEASED 7th RESPONDENT/
LR'S OF DECEASED 7th RESPONDENT/
PORPOSED RESPONDENTS 8 TO 11

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to condone the delay of 1672 days in representing the M.P.SR.No.33094 of 2013 in SA.No.1763 of 2002 on the file of this Honourable Court and thus render justice.

PRAYER IN SA(MD) No.1763 of 2002

to prefer this memorandum of Grounds of Second Appeal before this Hon'ble Court against the judgment and decree in A.S.NO.141 of 1996 dated 30.04.2002 on the file of the Subordinate Judge, Padmanabhapuram pursuant to the judgment and decree of the learned Principal District Munsif, Padmanabhapuram made in O.S.NO.669 of 1990 dated 28.2.1996.



ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.K.SREEKUMARAN NAIR, Advocate for the petitioner and of Mrs.J.ANANTDHAVALLI, Advocate for R1 and Mr.K.N.THAMBI, Advocate for R3, the court made the following order:-

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The learned counsel for the petitioner seeks permission of this Court to withdraw the petition and he has also made an endorsement to that effect.

2.The said endorsement made by the learned counsel for the petitioner which reads as follows:-

"Respondents 5,6 and 7 remained ex-parte in the Courts below. Hence the Civil Miscellaneous Petition need not be impleaded under Order 22 Rule 4 (4) of CPC. L.R. Applicable is not necessary. This Hon'ble Court is requested to dispense with the petition."

3.Accordingly, this Civil Miscellaneous Petition is dismissed. Post this Second Appeal on 09.01.2019.

sd/-
20/12/2018

/ TRUE COPY /

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

TO

- 1 THE SUBORDINATE JUDGE,
PADMANABHAPURAM.
- 2 THE PRINCIPAL DISTRICT MUNSIF,
PADMANABHAPURAM.

PS/JC/SAR-2/04.01.2019/2P/3C

ORDER
IN
CMP (MD) No.5393 of 2018
IN
SA (MD) No.1763 of 2002
Date :20/12/2018