



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.06.2019

CORAM :

THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**

C.M.P. (MD) No.7626 of 2018
in
S.A. (MD) No.SR31002 of 2018
and
S.A. (MD) No.SR31002 of 2018

Aathiramilagi :Petitioner/Appellant

vs.

1.Mangal
2.Thangal
Kamatchi (Died)
3.Meenal
Malaichamy (Died)
4.Solaimalai
5.Ramar

:Respondents / Respondents

PRAYER: Civil Miscellaneous Petition filed under Order 41 Rule 3(A) of Code of Civil Procedure, 1908, to condone the delay of 599 days in preferring the second appeal against the judgment and decree passed by the Principal District Court, Virudhunagar District at Srivilliputhur in A.S.No.17 of 2011 on 06.09.2016 in confirming the judgment and decree passed by the Subordinate Court, Aruppukottai in O.S.No.85 of 2009 on 29.11.2010.

PRAYER: Second Appeal filed under Section 100 of Code of Civil Procedure, 1908, to set aside the judgment and decree passed by the Principal District Court, Virudhunagar District at Srivilliputhur in A.S.No.17 of 2011 dated 06.09.2016 in confirming the judgment and decree passed by the Subordinate Court, Aruppukottai in O.S.No.85 of 2009, dated 29.11.2010.

For Petitioner/Appellant : Mr.M.Jothi Basu

ORDER

Though this appeal is in SR stage and the petition to condone the delay is pending, the learned Counsel for the petitioner / appellant submitted that the parties have settled the matter outside the Court and that the appeal may be dismissed as settled out of Court. He has also made an endorsement to that effect.



2. In view of the endorsement made by the learned Counsel for the petitioner/appellant, this Civil Miscellaneous Petition is dismissed as settled out of Court and the second appeal is rejected at SR stage.

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Sd/-

Assistant Registrar(AD-II)

// True Copy //

Sub Assistant Registrar(CS)

cmr

To

1. The Principal District Judge,
Virudhunagar District at Srivilliputhur.

2. The Subordinate Court, Aruppukottai.

+1CC TO MR.G.M.LAW OFFICE, Advocate Sr. No. 71503

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PM(CO)

TR (08.07.2019) 2P 4C