



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.12.2019

C O R A M

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THE HONOURABLE MR. JUSTICE R. SUBRAMANIAN

C.M.P. (MD) Nos. 12070 to 12075 of 2016

in

C.M.P. (MD) No. 8291 of 2016

in

S.A. (MD) No. SR29472 of 2016

C.M.P. (MD) Nos. 12070 to 12072 of 2016:

Ramraj

... Petitioner/Petitioner/Appellant
in C.M.P. (MD) Nos. 12070 to 12072 of 2016
in S.A. (MD) No. SR29472 of 2016

Vs.

1. Palanivelu

Ramanujam (Died)

Rajagopal (Died)

2. Ramesh

3. Rajasekaran

4. Jegadheesan

5. Janakiram

6. Kottaiyamma

7. Ashok Kumar

... Respondents 1 to 7/Respondents 1, 4 to 9/

Respondents 1, 4 to 9

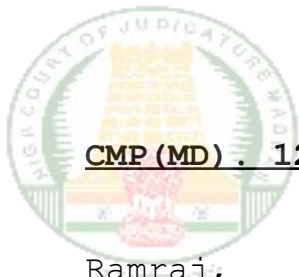
in C.M.P. (MD) Nos. 12070 to 12072 of 2016

in S.A. (MD) No. SR29472 of 2016

8. Lalithambigai

... 8th Respondent/8th Respondent/
Proposed 10th Respondent/proposed 10th Respondent
in C.M.P. (MD) Nos. 12070 to 12072 of 2016
in S.A. (MD) No. SR29472 of 2016

(The Respondents 3 to 7 herein remained Ex-Parte before the courts below and the 5th respondent herein is excluded from the appeal and they are given up in this C.M.P.)



CMP (MD) . 12073 to 12075/ 2016 in SA (MD) No. sr29472 of 2016

Ramraj, ... Petitioner/Petitioner/Appellant
in CMP (MD) . 12073 to 12075/ 2016
in SA (MD) No. sr29472 of 2016

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- Vs. -

1. Palanivelu,
Ramanujam (Died),
Rajagopal (Died)

2. Ramesh

3. Rajasekaran

4. Jegadheesan

5. Janakiram

6. Kottaiyamma

7. Ashok Kumar, ... Respondents 1 to 7/Responents 1,4to 9/
Respondents 1,4 to 9
in CMP (MD) . 12073 to 12075/ 2016
in SA (MD) No. sr29472 of 2016

8. Lalithambigai,

9. Renuka Devi,

10. R.Ramakrishnan @ Ramesh,

11. R.Kavitha

12. R.Gokilapriya,

13. R.Sangeetha @ Chandrakala

... Respondents 9 to 13/Proposed Respondents 11 to 15/
Proposed Respondents 11 to 15
in CMP (MD) . 12073 to 12075/ 2016
in SA (MD) No. sr29472 of 2016

PRAYER in C.M.P. (MD) No. 12070 of 2016: This Civil Miscellaneous Petition is filed under Section 5 of the Limitation Act, to condone the delay of 399 days in seeking to set aside the abatement caused due to the death of the second respondent namely Ramanujam.



PRAYER in C.M.P. (MD) No. 12071 of 2016: This Civil Miscellaneous Petition is filed under Order 22 Rule 9 CPC, to set aside the abatement caused due to the death of the second respondent namely Ramanujam.

PRAYER in C.M.P. (MD) No. 12072 of 2016: This Civil Miscellaneous Petition is filed under Order 22 Rule 9 CPC, to bring the 8th respondent herein as legal heir of the deceased second respondent in the above petition and in second appeal and to record her as tenth respondent in the above civil miscellaneous petition and second appeal.

PRAYER in C.M.P. (MD) No. 12073 of 2016: This Civil Miscellaneous Petition is filed under Section 5 of the Limitation Act, to condone the delay of 889 days in seeking to set aside the abatement caused due to the death of the third respondent namely Rajagopal.

PRAYER in C.M.P. (MD) No. 12074 of 2016: This Civil Miscellaneous Petition is filed under Order 22 Rule 9 CPC, to set aside the abatement caused due to the death of the second respondent namely Rajagopal in the above civil miscellaneous petition and second appeal.

PRAYER in C.M.P. (MD) No. 12075 of 2016: This Civil Miscellaneous Petition is filed under Order 22 Rule 9 CPC, to bring the 9 to 13 respondents herein as legal heir of the deceased third respondent in the above petition and in second appeal and to record them as 11 to 15 respondents in the above civil miscellaneous petition and second appeal.

Prayer in SA (MD).sr29472 of 2016:

This Second Appeal filed under section 100 of C.P.C. as against the Judgment and Decree made in A.S.No.126 of 2007 dated 09.12.2014 on the file of the Additional Sub Judge, Dindigul reversing the judgment and Decree made in O.S.No.177 of 2003 dated 13.10.2003 on the file of the 1st Additional District Munsif court, Dindigul.

For Petitioners : Mr.M.Thirunavukarasu
(in all petitions)

O R D E R

The learned counsel for the petitioner has circulated a letter to the registry seeking permission to withdraw these Civil Miscellaneous Petitions.



2. Recording the same, these Civil Miscellaneous Petitions are dismissed as withdrawn. No costs. Consequently, the second appeal is rejected at the SR stage itself.

Sd/-

Assistant Registrar

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// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

1. The Additional Sub Judge,
Dindigul.

2. the 1st Additional District Munsif,
Dindigul.

C.M.P. (MD) Nos. 12070 to 12075 of 2016
in

C.M.P. (MD) No. 8291 of 2016
in

S.A. (MD) No. SR29472 of 2016
13.12.2019

DB (CO)

TR (08.01.2020) 4P 3C