



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

Wednesday, the Fourteenth day of October Two Thousand Twenty

PRESENT

The Hon`ble Mr.Justice R.MAHADEVAN

CMP(MD) No.6398 of 2017

IN

SA(MD) SR.No.12054 of 2016

MADASAMY

... PETITIONER/ APPELLANT

Vs

1 KALYANASUNDARI

2 RAMESH

3 BABY

4 VEERALAKSHMI @ AMMANIAMMAL

5 M.S.MOHAMED IBRAHIM UMMAL

6 N.T.S.MOHAMED SALIK HAJI

... RESPONDENTS/ RESPONDENTS

REP.BY HIS POWER AGENT NOOKUTH THAMBI

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 2124 days in filing the above Second appeal before this Honourable Court.

PRAYER IN SA(MD) SR.No.12054 of 2016;

To set aside the judgment and decree of the lower appellate court dated 28.01.2010 passed in A.S.No.52 of 2008 on the file of the I Additional District Judge, Tirunelveli, confirming the judgment and decree of the Trial Court dated 04.04.2008 passed in I.A.No.35 of 1984 in O.S.No.174 of 1979 on the file of the Principal Subordinate Judge, Tirunelveli, and to allow the Second Appeal 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.M.SARAVANAN, Advocate for the petitioner and R5,56 not appeared either in person or by an advocate, the court made the following order:-

This Miscellaneous Petition has been filed seeking to condone the delay of 2124 days in filing the above Second Appeal.

2.The learned counsel appearing for the petitioner seeks permission of this Court to withdraw the C.M.P(MD)No.6398 of 2017



and undertakes to send an e-mail in this regard to the Registry of this Court by way of making endorsement.

3. In view of the above facts, this Civil Miscellaneous Petition is dismissed as withdrawn, leaving it open to the petitioner to proceed in the manner known to law. No costs.

sd/-
14/10/2020

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/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE I ADDITIONAL DISTRICT JUDGE,
TIRUNELVELI.

2 THE PRINCIPAL SUBORDINATE JUDGE,
TIRUNELVELI.

+1 CC to M/s.R.SUBRAMANIAN, Advocate (SR-7007[I] dated 15/10/2020)

ORDER
IN
CMP (MD) No.6398 of 2017
IN
SA(MD) SR.No.12054 of 2016
Date :14/10/2020

MS/VR/SAR-4/19.10.2020/2P.4C