



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.10.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

S.A.No.582 of 2013
and M.P.No.1 of 2013

1. Kaliamoorthy (died) ...1st Petitioner/Deceased
sole Appellant
2. Thangayal
3. Rajeswari ...Petitioners 2 & 3/Proposed Appellants 2 & 3
LRs of Deceased sole Appellant

(Appellant Nos.2 and 3 are impleaded by an order
dated 28.10.2021 made in C.M.P.No.16762 of 2021
in S.A.No.582 of 2013)

Vs.

1. Babu
2. Kumar
3. Ramakrishnan ... Respondents/Respondents

PRAYER: The Second Appeal filed under Section 100 of the Civil Procedure Code against the judgment and decree of the Additional Sub Court, Mayiladuturai, dated 30.08.2011 made in A.S.No.190 of 2005 confirming the judgment and decree of the District Munsif, Sirkali, dated 16.11.2005 made in O.S.No.190 of 2001

For Appellants : Mr.S.Sounthar
For Respondents : Mr.A.Muthukumar

J U D G M E N T

The learned counsel for the appellant submits that the dispute between the parties has been settled out of Court and seeks permission of this Court to withdraw the Second Appeal by virtue of a Memo filed by appellant Nos.2 and 3 dated 15.09.2021. The said Memo is extracted as follows:-

Memo filed by Appellants 2 and 3

The Appellants 2 and 3 above named submits that the dispute in the above Second Appeal is settled between the parties and hence, the above Second Appeal may be dismissed as withdrawn.

Therefore, it is prayed that this Hon'ble Court may be pleased to dismiss the above Second



Appeal as withdrawn without costs and thus render justice.

The said Memo is taken on file. Accordingly, the Second Appeal is dismissed as withdrawn. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

s/d
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1. The Additional Sub Judge, Mayiladuturai.
2. The District Munsif, Sirkali.

Copy to
The Section Officer,
VR Section Record,
High Court, Madras.

S.A.No.582 of 2013
and M.P.No.1 of 2013

NR(CO)
KKV/29/10/2021