



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.09.2021

CORAM

THE HONOURABLE MRS. JUSTICE S. KANNAMMAL

C.M.P.No.7121 of 2016

in

S.A.(SR).No.90527 of 2010

1.P.Venga Gounder (deceased)

2.V.Selvaraj

3.T.Vijaya

4.C.Saroja

5.R.Kalaiarasi

6.Thailammal

... Petitioners/Defendant
sought to be preferred
SA.SR.No.90527 of 2010

Versus

The Union of India

Rep. by The Senior Superintendent of Post Officer

Salem East Division,

Salem - 1.

... Respondent/Plaintiff -do-

Prayer:- This Civil Miscellaneous Petition has been filed under Section 5 of the Limitation Act 1963, to condone the delay of 1031 days in filing the petition to set aside the abatement caused due to the death of the sole appellant in the above Second Appeal in S.R.No.90527 of 2010.

Prayer in SA.SR.No.90527 of 2010:-

Second appear SR sought to be preferred against the Judgment and decree dated 30/10/2008 Passed in A.S.No.69 of 2008 on the file of the Principal Subordinate Judge, Salem confirming the Judgment and decree dated 26/02/2008 passed in O.S.No.92 of 2004 on the file of the first Additional District Munsif, Salem.

For petitioners : Mr. P.Rathanavel

For Respondent : Mr. K. Mariappan



ORDER

When the Petition is taken up for hearing, Mr.P.Rathanavel, learned counsel appearing for the petitioners submitted that since the decree has already been executed in E.P., he sought for permission of this Court to withdraw this appeal.

2.In view of the submission made by the learned counsel for the petitioners, the petitioners are permitted to withdraw the petition and therefore, the Civil Miscellaneous Petition is dismissed as withdrawn. Consequently, the main Second Appeal is also dismissed as withdrawn at the SR stage itself.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

gbi

To

1. The Principal Subordinate Judge, Salem.
2. The First Additional District Munsif, Salem.

Copy to.

3. The Sub Assistant Registrar,
A.E. Section,
High Court Madras.
4. The Section Officer,
Judicial Section
High Court Madras.

C.M.P.No.7121 of 2016 in
S.A.(SR).No.90527 of 2010

KG(CO)
CT/17/12/2021