



WEB COPY

S.A.(MD)No.366 of 2011

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.08.2021

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

S.A.(MD)Nos.366 & 367 of 2011 and

C.M.P.(MD)Nos.10805 to 10808 of 2011 &

M.P.(MD)Nos.1,1,2 to 4 of 2011

S.A.(MD)No.366 of 2011

S.Gopalsamy Naicker ... Appellant / 1st Respondent /
Plaintiff

Vs.

Subbaiah Naicker(Died)

1. Senniammal
2. Pankarusamy
3. Saraswathi
4. Gurusamy
5. Thamarai Kannan
6. Srinivasagan
7. Kamalakannan
8. Ranukadevi

... Respondents 1 to 8 /
Appellants 2 to 9 /
Defendants

9. Seethammal ... 9th Respondent /
2nd Respondent /
2nd Defendant

Prayer: Second appeal filed under Section 100 of C.P.C., to set aside the judgment and decree made in A.S. No.15 of 2007, dated 30.07.2010 on the file of the Sub Court, Srivilliputhur, reversing the judgment and decree made in O.S.No.633 of 2004, dated 08.12.2006 on the file of the Principal District Munsif, Srivilliputhur.

S.A.(MD)No.367 of 2011

1. Gopalsamy @ Sukra Naicker
2. Athilakshmi
3. Seenivasan
4. Dhavamani
5. Sethuraj
6. Sathya

... Appellants / Respondents 1 to 3,5 to 7 /
Defendants 1 to 3, 5 to 7

Vs.

Subbaiah Naicker(Died)

1. Senniammal
2. Pankarusamy

<https://hcservices.ecourts.gov.in/hcservices/>



3. Saraswathi
4. Gurusamy
5. Thamarai Kannan
6. Srinivasan
7. Kamalakannan
8. Renukadevi

... Respondents 1 to 8 /
Appellants 2 to 9 /
Plaintiffs

9. Narayanasamy

... 9th Respondent /
4th Respondent /
4th Defendant

Prayer: Second appeal filed under Section 100 of C.P.C., to set aside the judgment and decree made in A.S. No.16 of 2007, dated 30.07.2010 on the file of the Sub Court, Srivilliputhur, reversing the judgment and decree made in O.S.No.704 of 2004, dated 08.12.2006 on the file of the Principal District Munsif, Srivilliputhur.

(in both S.As.)

For Appellants : Mr.M.Thirunavukkarasu

For R-1 to R-8 : Mr.A.Sivaji

R-9 in S.A.(MD)

No.366 of 2011 : Died.

R-9 in S.A.(MD)

No.367 of 2011 : Left India.

* * *

C O M M O N J U D G M E N T

The learned counsel appearing for the appellants informs this Court that the matter has been amicably settled out of Court. He seeks leave to withdraw both the appeals.

2. In view of the same, these second appeals are dismissed as withdrawn. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

1. The Sub Judge,
Srivilliputhur.
 2. The Principal District Munsif,
Srivilliputhur.
 3. The Record Keeper, V.R.Section,
Madurai Bench of Madras High Court, Madurai. (2 Copies)
- +2 CC to M/s.A.SIVAJI, Advocate (SR-27025[F] dated 24/08/2021)

S.A. (MD) Nos.366 & 367 of 2011
19.08.2021

GC (31.08.2021) /3P/7C