



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.07.2021

CORAM:

THE HONOURABLE **MR. JUSTICE A.A.NAKKIRAN**

S.A.(MD)No.224 of 2021

and

C.M.P(MD) No.3149 of 2021

WEB COPY

M.Lakshmi

... Appellant

Vs.

Megadharsini

...Respondent

PRAYER: Second Appeal is filed under Section 100 of C.P.C, to set aside the judgment and decree dated 17.09.2020 made in A.S.No.76 of 2019 on the file of Subordinate Court, Thirumangalam by confirming the judgment and decree dated 29.04.2019 made in O.S.No.71 of 2017 on the file of District Munsif-Judicial Magistrate, Peraiyur and allow the second appeal.

For Appellant : Mr.R.Devaraj
for Mr.M.S.Karthikeyan

For Respondent : Mr.A.Arumugam
for M/s.Ajmal Associates

JUDGMENT

This second appeal has been filed to set aside the judgment and decree dated 17.09.2020 made in A.S.No.76 of 2019 on the file of Subordinate Court, Thirumangalam by confirming the judgment and decree dated 29.04.2019 made in O.S.No.71 of 2017 on the file of District Munsif-Judicial Magistrate, Peraiyur and allow the second appeal.

2.Today, when the matter is taken up for hearing, the learned counsel for the appellant seeks permission of this Court to withdraw the suit in O.S.No.71 of 2017 on the file of the learned District Munsif-cum-Judicial Magistrate, Peraiyur, with liberty to file a fresh suit.

3.Heard the learned counsel appearing on either side.

4.Recording the submission made by the learned counsel for the appellant, permission is granted to withdraw the above suit. The appellant is at liberty to file a fresh suit before the Court below within a period of three months from the date of receipt of a copy of this Judgment.



5. Accordingly, this Second Appeal is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-I)

WEB COPY

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

msa/cp

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 Subordinate Court, Thirumangalam.
2. The District Munsif-Judicial Magistrate, Peraiyur.
3. The Record Keeper,
VR Section,
Madurai Bench of Madras High Court, Madurai(2 copies)

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-21439[F] dated 07/07/2021)

+1 CC to M/s.M.S.KARTHIKEYAN, Advocate (SR-21681[F] dated 08/07/2021)

S.A. (MD) No.224 of 2021

and

C.M.P (MD) No.3149 of 2021

06.07.2021

PM(CO)

TR(15.07.2021) 2P 7C