



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.09.2021

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

A.S. (MD) Nos.39 and 40 of 2017
and
C.M.P. (MD) No.2458 of 2017
in
A.S. (MD) No.39 of 2017

A.S. (MD) No.39 of 2017:-

R.Venkatasubbu Marimuthu @ R.V.S.Marimuthu

... Appellant/Plaintiff

Vs .

- 1.L.Raja
- 2.P.R.Sakthivel
- 3.A.Raju
- 4.M.Antony
- 5.T.Rayappan
- 6.S.Chinnamani
- 7.S.Sankaranarayanan
- 8.K.R.S.Ponnuswamy Pandiyan
- 9.SMS Infrastructure Ltd.,
Managing Director,
Subash Manapur.
- 10.S.Ayyappan
- 11.The Branch Manager,
Dharani Cements Office,
At Ariyalur,
Trichy District.
- 12.Kasim Pakkir
- 13.Sulaikka Banu
- 14.M.Manokaran
- 15.Sethulakshmi
- 16.P.M.V.Nagajothi
- 17.C.Tamilmanni
- 18.K.Ramachandran
- 19.S.Mariyappan
- 20.K.Kothandaramar
- 21.M.Archana Devar
- 22.M.Ramakrishnan
- 23.Sudalaimani
- 24.N.Muthuramalingam
- 25.M.Radhakrishnan



26.Sakthikumar M.Sanjchetty Ltd.,
Engineers & Constructors,
General Manager,
Sri Milint Thikrajkar

27.Raja Rajeshwari

28.M.Shanthi

29.M/s.Subbu Reality (South) Private Limited,
Power of Attorney,
Ayyakutti.

30.Maegavel @ Migavel

31.A.Subramanian

32.Annamari

33.S.Sellaiah

34.Easakki Raja

... Respondents/Defendants

Prayer : Appeal Suit filed under Section 96 of Civil Procedure Code r/w. Order 41 Rules 1 and 2 of Civil Procedure Code, against the judgment and decree dated 19.11.2016 made in O.S.No.73 of 2010 on the file of the learned I Additional District Court, Thoothukudi (Full Additional In-charge).

For Appellant : Mr.T.Antony Arul Raj

For Respondents : Mr.N.GA.Nataraj for R12 & R13
Mr.S.Krishnamoorthy for R14, R17 & R18
M/s.Mathuvanthi Mathavan for R11
Mr.N.Subramani

For R16, R19, R22, R27, R30, R32 & R33
No appearance for R3, R5, R8, R20, R24, & R26
R1 & R15 died(Steps due)
R1,2,4,6,9,21,25,29 and 31(batta Due)

A.S. (MD)No.40 of 2017:-

R.Venkatasubbu Marimuthu @ R.V.S.Marimuthu

2.V.Alamelu

3.Rathina Selvei ... Appellants/Defendants 1 to 3

Vs.

1.C.Tamilmani

2.M.Manoharan

3.K.Ramachandiran

... Respondents

(Respondents are represented through their power agent P.M.V Nagajothi)

Prayer : Appeal Suit filed under Section 96 of Civil Procedure Code, against the judgment and decree dated 19.11.2016 made in O.S.No.23 of 2012 on the file of the learned I Additional District Court, Thoothukudi.

For Appellant : Mr.T.Antony Arul Raj

For Respondents : Mr.S.Krishnamoorthy



COMMON JUDGEMENT

The learned counsel for the appellants has circulated a letter seeking leave to withdraw these appeal suits.

2. Leave granted. These appeal suits are dismissed as withdrawn. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

ias

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:

The I Additional District Judge,
Thoothukudi.

Copy to:

The Record Keeper, (2C)
V.R. Section,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.N.GA. NATRAJ, Advocate (SR-30188[F] dated 24/09/2021)

A.S.(MD)Nos.39 and 40 of 2017
23.09.2021

SRR(CO)

KB(04.10.2021) 3P 5C