



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.04.2022

CORAM:

THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN

S.A. (MD) No.58 of 2010

1.Valliammal
2.Vaithialinga Nadar (Died) .. Appellants 1 & 2/Appellants/
Plaintiffs
3.Ramalingam
4.Kanagavalli
5.Muthaiah
6.Nagarajan
7.Dharmaraj
8.Selvam .. Appellants 3 to 8

[Appellants 3 to 8 are *suo motu* impleaded as LR's of
the deceased 2nd appellant vide order dated
03.03.2022 made in S.A.(MD) No.58 of 2010]

-vs-

1.Sudalaimuthu Nadar (Died)
2.Pathirakaliammal .. Respondents 1&2/Respondents/
Defendants

[R2 - daughter of deceased R1, who is already on record
is recorded as the LR of the deceased R1 vide order
dated 04.04.2022 made in S.A.(MD) No.58 of 2010]

3.S.Shanmugam
4.S.Ramakrishnan

5.S.Anantha Murugan .. Respondents 3 to 5

[Respondents 3 to 5 are *suo motu* brought on record
as LR's of the deceased R1 vide order dated
04.04.2022 made in S.A.(MD) No.58 of 2010]

Prayer :- Second Appeal filed under Section 100 of Civil Procedure
Code to set aside the judgment and decree of the Principal
Subordinate Judge, Tenkasi, Tirunelveli District made in A.S.No.9 of



2009 dated 08.08.2009 confirming the decree and judgment of the Principal District Munsif, Tenkasi, dated 03.01.2005 made in O.S.No.207 of 2003 dismissing the suit filed by him.

For Appellants: Mr.S.Palani Velayutham

Respondent-1 : Died

For R2 : Mr.M.P.Senthil

For R3 to R5 : Batta due

JUDGMENT

The learned counsel for the appellants seeks leave to withdraw the second appeal. It is seen that the matter has been amicably settled between the parties. Leave granted. The Second Appeal is dismissed as withdrawn. No costs.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/ /2022

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 Principal Subordinate Judge,
Tenkasi, Tirunelveli District.

2.The Principal District Munsif,
Tenkasi

+1 CC to M/s.S. PALANI VELAYUTHAM, Advocate (SR-22467[F] dated 29/04/2022)

S.A.(MD) No.58 of 2010
28.04.2022

bk(CO)

TR(24.05.2022) 2P 4C

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