



S.A.(MD) No.1225 of 2011

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.08.2022

CORAM : JUSTICE N.SESHASAYEE

S.A.(MD) No.1225 of 2011

1.R.Viswananthan
2.Nesammal
3.V.Senthil Kumar
4.Palaniammal
5.Bhagavathi

...Defendants 6 & 8-11/Appellants/Appellants

Vs

1.Arumugam
2.S.Muniyandi
3.S.Alagar
4.S.Thangavelu
5.Chellammal
6.Muthuvel Asari

...Plaintiff/1st Respondent/1st Respondent

...Defendants 2-5 & 7/Respondents 2-6/
Respondents 2 to 6

Prayer:- Appeal filed under Section 100 of Civil Procedure Code against the judgment and decree made in A.S.No.44 of 2008 dated 19.12.2008 on the file of the Subordinate Court, Ramanathapuram confirming the judgment and decree passed in O.S.No.115 of 1997 dated 23.06.2004 on the file of the District Munsif Court, Ramanathapuram.

For Appellants : Mr.T.Lajapathiroy



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For R1 : Mr.S.Ramesh
for V.Ragavachari
For R4 to R6 : No appearance

J U D G M E N T

The learned counsel appearing for the appellants would submit that the second appeal is preferred against the preliminary decree for partition. In the meantime, the trial Court has passed the final decree and Execution Petition is also filed for delivery of the property allotted.

2. In these circumstances, the learned counsel made a submission on instructions to withdraw the appeal. He also made necessary endorsement.

3. Recording the submission made, this second appeal is dismissed as withdrawn. No costs.

25.08.2022

Internet: Yes
Index: Yes/No

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To

- 1.The Subordinate Court, Ramanathapuram
- 2.The District Munsif Court, Ramanathapuram
- 3.The Section Officer,
V.R.Section,
Madurai Bench of Madras High Court,
Madurai.



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N.SESHASAYEE, J.

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