



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.01.2022

CORAM

WEB COPY

THE HON'BLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

S.A. (MD)No.610 of 2012

1.K. Murugesan
2.K. Jawahar (Died)
3.V. Periyasamy
4.Nachathal
5.Manohar
6. Anuradha
7.Mariammal

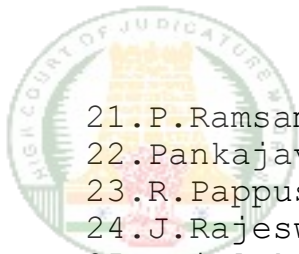
.. Defendants 19, 20 & 21/
Respondents 18, 19 & 20/Appellants

(AA 4 to 7 are brought on record as LR's of
deceased 2nd appellant, vide court order dated
20.03.2018 made in MP(MD) No.1 of 2015 in
SA(MD) No.610 of 2012)

Vs.

P.Krishnasamy Naidu (Dead)

1.P.Soundararajan
2.P.Subba Naidu
3.P.Muthusamy
4.P.Jagadeesan
5.P.Raghupathy
6.P.Loganathan
7.K.Muruganantham
8.R.Ramakrishnan
9.R.Krishnasamy
10.R.Palanisamy
11. R.Sundararajan
12.R.Nagarajan
13.R.Mahendran
14.R.Rajammal
15.T.Vengidusamy
16. R.Prabakaran
17.Ammamiammal
18.Saroja
19.V.Rajkumar
20.K.Marimuthu



21.P.Ramsamy
22.Pankajavalli
23.R.Pappusamy
24.J.Rajeswari
25.Rajalakshmi
26.R.Prabhu
27.R.Nataraj
28.Kamarunnissa
29.Shajakhan
30.Ashik Raja
31.Refeeq
32. Kaja Mohideen
33.Vanaja
34.B.Manikandan
35.Kurashanthi
36.B.Sathiyanarayanan

...Plaintiffs 1 to 9/
Defendants 1 to 18, 22 to 25/
Appellants/
Respondents 1 to 17, 21 to 35/
Respondents

Prayer: Second Appeal is filed under Section 100 of Code of Civil Procedure, against the judgment and decree dated 07.10.2010 in A.S.No.33 of 2003 on the file of the Subordinate Judge, Palani reversing the judgment and decree dated 28.03.2002 in O.S. No.171 of 1987 on the file of the learned District Munsif, Palani

For Appellant	: Mrs.AL.Gandhimathi
For Respondents:	
No.1 to 5 & 7	: Mr.S.C. Herold Singh
No.6	: Mr.M.R.Srinivasan for Mr.R.Nandakumar
No.22	: Mr.V.Manikandan
No.26 and 27	: Mr.A.Arumugam
No.33 to 36	: Mr.S.Ramu

JUDGEMENT

The learned counsel appearing for the appellants has circulated a letter dated 03.01.2022 to the Registry seeking permission of this Court to withdraw the second appeal. The said letter is placed on record.

2. The learned counsel Mr.S.Manikandan stated that he has filed a petition in CMP(MD) No.12142 of 2018 to implead the his clients in the second appeal. As the second appeal itself is permitted to be withdrawn, this Court is not inclined to entertain the same. He would also submit that connected second appeals are pending for adjudication.



3. In view of the same, the Second Appeal is dismissed as withdrawn. No costs.

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Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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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 Judge, Palani

2.The District Munsif, Palani

COPY TO:-

The Section Officer,
V.R.Section,
Madurai Bench of Madras High Court,
Madurai. (2 Copies)

+1 CC to M/s.S.C.HEROLDSINGH, Advocate (SR-1801[F] dated 20/01/2022)

+1 CC to M/s.R.SUNDAR SRINIVASAN, Mr.S.MANIKANDAN Advocate
(SR-1868[F] dated 20/01/2022)

S.A. (MD) No. 610 of 2012
20.01.2022

SK (CO)

GC(09.02.2022) 3P 7C