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**C.M.P(MD)No.6708 of 2018 &
CMP(MD)No.8809 of 2019**

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 29.04.2022

CORAM

THE HONOURABLE MRS.JUSTICE **R.THARANI**

C.M.P(MD)No.6708 of 2018

and

C.M.P. (MD)No.8809 of 2019

in

Cross.Appeal.S.R.No.18619 of 2018

in

S.A.No.1522 of 2001

1.Kottathai

2.Chandra

3.Karpagam

...Petitioners/Appellants/Respondents 1 to 3

Vs

1.Gurunathan

2.Sangkili

3.Vedan

4.Muniammal

... Respondent/Respondent/Appellant

... Respondents/Respondents 2 to 4/
Respondents 4 to 6

PRAYER in C.M.P. (MD)No.6708 of 2018:-

This Civil Miscellaneous Petition is filed under Section 5 of the Limitation Act to condone the delay of 5959 days in filing the above cross appeal in S.R.No.18619 of 2018 in S.A.No.1522 of 2001 on the file of this Court.

PRAYER in C.M.P. (MD)No.8809 of 2019:-

This Civil Miscellaneous Petition is filed under Order 22 Rule 1 of C.P.C., to bring the 5th respondent who is the legal heir of 1st respondent herein on record in C.M.P.No.6708 of 2018 in Cross Appeal S.R.No.18619 of 2018 on the file of this Court.

PRAYER in Cros.Obj. (MD)No.18619 of 2018:-

This Cross Appeal is filed under Order 41 Rule 22 of C.P.C., to allow the above cross appeal by setting aside the judgment and decree dated 18.01.1999 made in A.S.No.19 of 1998 on the file of the 1st Additional District Court, Tirunelveli thereby confirming the judgment and decree dated 18.09.1997 made in O.S.No.276 of 1991 on the file of the Principal Sub Court, Tirunelveli, in so far as confirming the decree of the trial Court relating to the 3 to 5 items of suit properties are concerned.

For Petitioners : Mr.M.Manikandan

For Respondent : No appearance

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JUDGMENT

When these Civil Miscellaneous Petitions were came up before this Court, the learned counsel for the petitioners sought leave of this Court to withdraw these petitions as per the instruction of the petitioners and he has also circulated a memo to that effect.

2. Recording the said memo and also the submissions made by the learned counsel for the petitioners, these Civil Miscellaneous Petitions are dismissed as withdrawn and the Cross Appeal stands rejected. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

pnn

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 1st Additional District Judge,
Tirunelveli.

2.The Principal Subordinate Judge,
Tirunelveli.

COPY TO:-

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

+1 CC to M/s.M.MANIKANDAN, Advocate (SR-22935[F] dated 29/04/2022)

ORDER

IN

C.M.P (MD)No.6708 of 2018

and

C.M.P. (MD)No.8809 of 2019

in

Cross.Appeal.S.R.No.18619 of 2018

29.04.2022

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