



WEB COPY



S.A.No.158 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.01.2023

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

S.A.No.158 of 2020
and C.M.P.No.3369 of 2020

V.Rajagopal (deceased)

1. Sivan
2. Nagaraj
3. Gowri
4. Sivagami
5. Narasimman
6. Krishnan
7. Valliammal
8. Seetha ammal
9. N.Dhanapal
10. K.Venkatesan
11. K.Pushpa
12. M.Lalitha
13. M.Jayaprakash
14. Malar
15. Vasantha
16. Gowri
17. Minor Ramya
represented by mother and natural guardian
Gowri (16th Appellant)
18. Minor Meena
represented by mother and natural guardian
Gowri (16th Appellant)

... Appellants

Vs

1. V.Ranganathan



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2. R.Varadha Rajan

3. R.Ravikumar

4. Vasu

Shanmughasundhra Bharathi (Deceased)

5. Vaguleyan

6. Sangeetha

7. Anbarasan

8. Vijimani

9. Vani

10. Tamilarasan

11. Rukkamma

12. Mangamma

... Respondents

Prayer:- Second Appeal filed under Section 100 of CPC to allow the above Second appeal; modify the Judgment and Decree passed by the First Appellate Court (Additional District Court, Hosur) dated 26.09.2019 in A.S.No.60 of 2017 and the Judgment and Decree passed by the Trial Court (Sub-Court, Hosur) dated 16.02.2017 in O.S.No.78 of 2005 and this Hon'ble Court may be pleased to dismiss the Suit in O.S.No.78 of 2005 with respect to the properties mentioned in serial numbers 1, 2, 3, 8 to 10 of Item No.I and Item Nos.II and III of the Complaint Schedule and decree the suit with respect to the properties mentioned in serial numbers 4, 5, 6 and 7 of Item No.I of the Complaint Schedule.

For Appellants	: Mr.G.M.Anantha Kumar
For R1 to R3	: Mr.V.Raghavachari
For R4 to R12	: Notice served

JUDGMENT

Today, when the Second Appeal is taken up for hearing, the learned counsel appearing for the appellants submitted that the appellants instructed him



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to withdraw the appeal and he has also submitted a letter of instructions given by the appellants dated 26.12.2022. Therefore, he seeks permission of this Court to withdraw the appeal.

2. The letter dated 26.12.2022 is extracted hereunder:-

“We the above mentioned are the appellants in Second Appeal No.158 of 2020 before the Hon'ble High Court at Madras, the said appeal is filed against the Judgment and Decree dated 26.09.2019 passed in AS.No.60 of 2017 on the file of ADJ Hosur by confirming the Judgment and Decree passed in O.S.No.78 of 2005 by order dated 16.02.2017.

Pending this Second appeal, we the appellant and the respondents have entered a compromise through the village elders and thereby it is settled by out of court.

Hence, we request you to withdraw the appeal in SA.No.158 of 2020 on the file of the Hon'ble High Court, Madras.”

3. Recording the submission and the letter dated 26.12.2022, this Second Appeal is dismissed as withdrawn. Consequently, connected Miscellaneous petition is closed. No costs.

24.01.2023

Internet: Yes

Index: Yes/No

Speaking/Non speaking order

mn

Note: Issue order copy on 25.01.2023



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S.A.No.158 of 2020

G.K.ILANTHIRAIYAN. J.

mn

To

1. The Additional District Court, Hosur.
2. The Sub-Court, Hosur.

S.A.No.158 of 2020
and C.M.P.No.3369 of 2020

24.01.2023