



C.M.P.No.7595 of 2023
in S.A.SR.No.40798 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.09.2023

CORAM

THE HON'BLE MR. JUSTICE **A.D.JAGADISH CHANDIRA**

C.M.P.No.7595 of 2023
in S.A.SR.No.40798 of 2023
and S.A.SR.No.40798 of 2023

Balakrishnan

... Appellant

Vs.

1. K.Vijayalakshmi

2. K.Selvaganapathy

... Respondents

Prayer in C.M.P.No.7595 of 2023: Criminal Miscellaneous Petition filed under Section Order 41 Rule 3(A) r/w Order 42 Rule 1 of CPC., pleaded to condone the delay of 1141 days in preferring the Second Appeal as against the Judgement and Decree dated 10.07.2019 made in A.S.No.15 of 2018 on the file of the learned IV Additional District and Sessions Judge, Coimbatore.

Prayer in S.A.SR.No.40798 of 2023 : Second Appeal filed under Section 100 of C.P.C., pleaded to set aside the Judgement and Decree dated 10.07.2019 made in A.S.No.15 of 2018 on the file of the learned IV Additional District and Sessions Judge, Coimbatore, reversing the Judgement and Decree dated 30.07.2017 made in O.S.No.197 of 2008 on the file of the II Additional Sub Court, Coimbatore and allow the second appeal.



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For Appellant : Mr.M.R.Dhalapathy Vignesh Kumar

For Respondents : Mr.A.Thiyagarajan
For R1/Caveator

JUDGMENT

Learned counsel appearing for the petitioner/appellant seeks permission of this Court to withdraw the civil miscellaneous petition and he has also made an endorsement to that effect.

2. In view the submission and the endorsement made by the learned counsel for the petitioner/appellant, this Civil Miscellaneous Petition stands dismissed as withdrawn. Consequently, the second appeal is also rejected in SR stage itself. No costs.

05.09.2023

vca/ham

Index : Yes / No

Speaking / Non-speaking

Neutral Citation : Yes / No

To

1. The IV Additional District and Sessions Court, Coimbatore.
2. The II Additional Sub Court, Coimbatore.
3. The Section Officer, VR Section, High Court of Madras.



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A.D.JAGADISH CHANDIRA.,J.

ham

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