



S.A.(MD)No.14 of 2007

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.09.2023

CORAM

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

S.A.(MD)No.14 of 2007 &
C.M.P.(MD)Nos.11253 of 2018 & 497 of 2019

1.Murugan

2.Kalyani

3.A.Rajammal

4.R.Shanmuga Udhaya

5.M.Ponpandi

6.M.Vanamamalai

...Appellants

(Cause title accepted as per order dated 23.07.2015 in M.P.(MD)No.1 of 2013)

(Appellants 3 to 6 are substituted in the place of the 3rd appellant vide Court order dated 22.06.2023 in C.M.P.(MD)No.498 of 2019)

vs.

1.Esakki @ Esakki Muthu

2.Thangapandi (died)

3.Geetha

4.Balaji

5.Harish

... Respondents



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(Respondents 3 to 5 are brought on record as LR's of the deceased 2nd respondent vide Court order dated 08.02.2023 in C.M.P.(MD)Nos.396, 411 and 412 of 2023)

Prayer: Second Appeal filed under Section 100 of the Code of Civil Procedure against the Judgment and Decree dated 16.10.2006 in A.S.No. 1 of 2006 on the file of the II Additional Subordinate Judge, Tirunelveli reversing the Judgment and Decree dated 25.10.2005 in O.S.No.246 of 2002 on the file of the Principal District Munsif, Valliyur.

For Appellant : Mr.H.Arumugam for A1 & A2
Mr.M.Thirunavukarasu for A3 to A6

For Respondents : Mr.C.Selvakumar for R1

JUDGMENT

The learned counsel appearing for the appellants 1 and 2 and the learned counsel appearing for the appellants 3 to 6 sought permission of this Court to withdraw the appeal since the matter has been amicably settled between the parties. They have also filed respective Memos dated 19.09.2023 in that regard.



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2. In view of the above submissions and Memos dated 19.09.2023, this Second Appeal is dismissed as withdrawn. No costs. Consequently, the connected Miscellaneous Petitions are closed.

19.09.2023

NCC:Yes/No

Index:Yes/No

Speaking/Non-speaking order

mbi

To

1.The II Additional Subordinate Judge, Tirunelveli

2.The Principal District Munsif, Valliyur

3.The Section Officer,
Vernacular Records Section,
Madurai Bench of Madras High Court,
Madurai.



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KRISHNAN RAMASAMY, J.

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