



S.A.(MD) No.222 of 2008

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.02.2023

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

S.A.(MD) No.222 of 2008

1.Antony Berkman (Died)

2.Xavier (Died)

3.Panneer (Died)

4.Sahayam

5.Florin

6.Edwin

7.Maria Selvam

... Appellants 1 to 7/Appellants/
Plaintiffs

8.A.Pushpam

9.Sandhya Mary

10.Juliet Rani

11.Rosy

... Appellants 8 to 11

[Appellants 8 to 11 were brought on record as LRs of the deceased 1st appellant vide order dated 25.01.2023 made in C.M.P.(MD) Nos.12222, 12224 and 12225 of 2022 in S.A.(MD) No.222 of 2008]

12.Daisy Rani

13.Tino



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14.Antony Raj

... Appellants 12 to 14

[Appellants 12 to 14 were brought on record as LR's of the deceased 2nd appellant vide order dated 25.01.2023 made in C.M.P.(MD) Nos. 12227, 12229 and 12230 of 2022 in S.A.(MD) No.222 of 2008]

15.Nirmala

16.Sudhakaran

17.Kiruba

... Appellants 15 to 17

[Appellants 15 to 17 were brought on record as LR's of the deceased 3rd appellant vide order dated 25.01.2023 made in C.M.P.(MD) Nos. 12231, 12232 and 12233 of 2022 in S.A.(MD) No.222 of 2008]

Vs

1.Susai Antony

2.Viagula Antony

3.Viagula Rosari

4.Pathianathan (Died)

5.Lazar

6.Jesuraja

7.Antony

8.Arul

9.Mannees

10.Joseph

11.Pushpam

12.Anusia

13.Parimala

... Respondents 1 to 13/
Respondents/Defendants



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14.Arockia Anitha

15.Francis Glory

... Respondents 14 & 15

[RR14 and 15 were brought on record as LR's of the deceased 4th respondent vide order dated 14.03.2016 made in M.P.(MD) No.1 of 2014 in S.A.(MD) No.222 of 2008]

Prayer:- Appeal filed under Section 100 of Civil Procedure Code to set aside the judgment and decree dated 23.11.2006 made in A.S.No.46 of 2005 on the file of the Sub Court, Ramanathapuram confirming the judgment and decree dated 29.06.2005 made in O.S.No.188 of 1996 on the file of the District Munsif's Court, Ramanathapuram.

For Appellants : Mr.S.Ramesh

J U D G M E N T

The learned counsel for the appellants filed a memo dated 29.07.2022 seeking leave of the Court to withdraw the appeal. Leave is granted. The Second Appeal is dismissed as withdrawn. However, there shall be no order as to costs.

03.02.2023

NCC: Yes/No

Index: Yes/No

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S.SOUNTHAR, J.

abr

To

- 1.The Sub Judge,
Ramanathapuram.
- 2.The District Munsif,
Ramanathapuram.
- 3.The Section Officer, VR Section,
Madurai Bench of Madras High Court,
Madurai.

S.A.(MD) No.222 of 2008

03.02.2023