



CMP(MD) No.3676 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Friday, the Twenty Second day of September Two Thousand and Twenty Three
PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR
CMP(MD) No.3676 of 2023
in
AS(MD) No.182 of 2015

J. MOHAN

... PETITIONER/PROPOSED RESPONDENT

Vs

1 J.VETRIVEL

... RESPONDENT-1/APPELLANT

2 B.LEELAVATHI

3 V.GNANAJOTHI

4 G.MAHALAKSHMI

... RESPONDENTS 2 TO 4/RESPONDENTS

Civil Miscellaneous Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to implead the petitioner as Respondent No.4 in the above said appeal in A.S.(MD). No. 182/2015.

Prayer in AS(MD).182/2015 :

To set aside the Preliminary decree and judgment dated 27.02.2015 passed in O.S.No.5 of 2013 by the Additional District & Sessions Judge, Thanjavur and dismiss the suit with costs.

ORDER : This civil miscellaneous petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.K.MUTHUMALAI, Advocate for the petitioner and of MR.P.SESUBALAN RAJA, Advocate on behalf of the 1st Respondent and M/S.H.LAKSHMI SHANKAR, Advocate on behalf of the Respondent Nos.2 to 4, the court made the following order:-

When the matter is taken up for hearing today, the learned counsel for the



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petitioner would submit that the respondents 3 and 4 were reported dead and their legal representatives were already impleaded in the main appeal. He may be permitted to withdraw the petition with liberty to file a fresh petition to implead the necessary parties and he has also made an endorsement to that effect.

2. Considering the submission and also the endorsement made by the learned counsel for the petitioner, the Civil Miscellaneous Petition is dismissed as withdrawn.

sd/-
22/09/2023

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/09/2023

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DAS

TO

THE ADDITIONAL DISTRICT AND SESSIONS JUDGE, THANJAVUR.

ORDER IN
CMP(MD) No.3676 of 2023
in AS(MD) No.182 of 2015
Date :22/09/2023

RS/JGB/SAR-(26.09.2023) 2P 2C
Madurai Bench of Madras High Court is issuing
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