



**S.A.(MD).No.571 of 2020**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 15.09.2023**

**CORAM**

**THE HONOURABLE MR. JUSTICE C.KUMARAPPAN**

**S.A.(MD).No.571 of 2020**

**and**

**C.M.P(MD)No.6195 of 2020**

**and**

**Cros.Obj(MD)No.26 of 2023**

**S.A.(MD)No.571 of 2020**

**Sangiliappan ... Appellant /1<sup>st</sup> Respondent/ 1<sup>st</sup> Defendant**

**Vs.**

**1.K.Subramani ... 1<sup>st</sup> Respondent/ Appellant / Plaintiff**

**2.Kottaiyappan ... 2<sup>nd</sup> Respondent/2<sup>nd</sup> Respondent/2<sup>nd</sup> Defendant**

**Kottaiyammal (died)**

**3.S.Palanisamy ... 3<sup>rd</sup> Respondent/4<sup>th</sup> Respondent /  
LRs of 3<sup>rd</sup> Defendant**

**Prayer:** Second Appeal is filed under Section 100 of CPC, to set aside the judgment and decree dated 26.02.2020 passed in A.S.No.17 of 2019 on the file of Additional Sessions Judge / Fast Track Mahila Court, Karur, reversing the judgment and decree dated 30.06.2017 passed in O.S.No.157 of 2012 on the file of the Principal Sub Court, Karur.

**For Appellant : Mr.M.P.Senthil**

**for Mr.G.Venugopal**



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**Cros.Obj(MD)No.26 of 2023**

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1.K.Subramani

... Cross Objector / 1<sup>st</sup> Respondent/

Vs.

1.Sangiliappan

... 1<sup>st</sup> Respondent/Appellant

2.Kottaiyappan

Kottaiyammal (Died)

3.S.Palanisamy

... Respondents 2&3/ Respondents 2&3

**Prayer:** Cross Objection is filed under Order 41 Rule 22 of the Code of Civil Procedure Code, to set aside the judgment and decree dated 26.02.2020 passed in A.S.No.17 of 2019 on the file of Additional Sessions Judge / Fast Track Mahila Court, Karur, reversing the judgment and decree dated 30.06.2017 passed in O.S.No.157 of 2012 on the file of the Principal Sub Court, Karur and allow the Cross objection.

For Appellant : Mr.M.P.Senthil

For Respondents : Mr.S.I.Muthiah for R1

**JUDGMENT**

Both side counsel present. The appellant is also present.



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2. The learned counsel for the appellant seeks permission of this Court to withdraw this Second Appeal in view of the proposed arrangement to record compromise before the Court below.

3. In the meanwhile, the Cross objector has sent a letter to the learned counsel for the cross objection and he requested the learned counsel to withdraw the cross objection.

4. Recording the memo of the learned counsel for the appellant and the submission made by the learned counsel of the cross objector, the Second Appeal as well as the Cross objection are dismissed as withdrawn. There shall be no order as to cost. Consequently, connected miscellaneous petition is closed.

**15.09.2023**

NCC : Yes / No  
Index : Yes / No  
Internet : Yes/ No  
Ls

Note: Issue order copy on 19.09.2023



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**C.KUMARAPPAN,J.**

Ls

To

- 1.The Additional Sessions Judge /  
Fast Track Mahila Court,  
Karur.
- 2.The Principal Sub Court,  
Karur.
- 3.The Section Officer,  
VR Section,  
Madurai Bench of Madras High Court,  
Madurai.

**S.A.(MD).No.571 of 2020  
and Cros.Obj(MD)No.26 of 2023**

**15.09.2023**