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*C.M.P(MD)No.11539 of 2022
and
A.S.(MD)No.SR70017 of 2022*

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.12.2023

CORAM:

**THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN
and
THE HONOURABLE MR.JUSTICE P.B.BALAJI**

**C.M.P(MD)No.11539 of 2022
and
A.S.(MD)No.SR70017 of 2022**

S.Prince (died)

1.N.Premkumar

2.Stanley Samraj

... Petitioners /Appellants

Vs.

1. N.Sundarakumar

Gandhimathi Buckle (died)

2.Rajini Rabindra

3.Rita Purnima

4.Jeyanthi Balasingh

5.Asha Manoharan

6.Mathan Sundara Raj

7.R.R.Pasanth Rabindra

8.Vijaya



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9.Vimala

10.Swamidoss

11.Sundar

12.Kiruba Helan

13.Mercy Salini

... Respondents / Respondents

Prayer in C.M.P.(MD)No.11539 of 2023:- Civil Miscellaneous Petition filed under Section 5 of Limitation Act, to condone the delay of 31 days in filing the above appeal suit.

Prayer in A.S.(MD)No.SR70017 of 2022: - Appeal Suit filed under Section 96 of the Code of Civil Procedure, against the Judgment and Decree, dated 20.04.2022 passed in O.S.No.41 of 2014 on the file of the 1st Additional District Judge, Tuticorin.

For Petitioners : Mr.G.Prabhu Rajadurai

For Respondents : No Appearance for R1, R3 to R7, R11 & R12

Mr.K.A.Ramakrishnan for R2 & R10

Left for R13



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JUDGMENT

[Order of the Court was made by RMT.TEEKAA RAMAN, J.]

The learned counsel appearing on behalf of the petitioners seeks permission of this Court to withdraw the petition by circulating a letter dated 07.12.2023 to the Registry. He has also made an endorsement to that effect.

2. The Civil Miscellaneous Petition is dismissed as withdrawn. Consequently, A.S.(MD)No.SR70017 of 2022 is rejected at the SR stage itself.

**[T.K.R., J.] [P.B.B., J.]
13.12.2023**

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
SJI
To

- 1.The 1st Additional District Judge, Tuticorin.
- 2.The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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RMT.TEEKAA RAMAN, J.
and
P.B.BALAJI, J.

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