



S.A.(MD).Nos.32 and 33 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.02.2023

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

S.A.(MD).Nos.32 and 33 of 2017

and

C.M.P.(MD).Nos.695 of 2017 and 11073 of 2018

S.A.(MD).No.32 of 2017

1.Balakrishnan Nair (Died)

2.C.Rajalakshmi

3.R.B.Sethunath

4.R.B.Gopinath

... Appellants

(Appellants 2 to 4 are brought on record as LR's of the deceased sole appellant vide Court Order dated 30.11.2016 made in C.M.P.(MD).No.11574 of 2016 in S.A.(MD).No.SR54844 of 2011)

Vs.

Karthikeyan Nair

... Respondent

Prayer: Second Appeal filed under Section 100 of the Civil Procedure Code, to set aside the judgment and decree dated 19.11.2010 passed in A.S.No.1 of 2006 on the file of the Sub Ordinate Judge, Kuzhithurai (Camp Court) / II Additional Sub Judge, Nagercoil reversing the judgment and decree dated 31.10.2005 passed in O.S.No.56 of 2004 on the file of I Additional District Munsif, Kuzhithurai and allow the Second Appeal.



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For Appellants : Mr.K.P.Narayanakumar
For Respondent : Mr.K.Sreekumaran Nair

S.A.(MD).No.33 of 2017

1.R.N.Balakrishnan Nair (Died)

2.C.Rajalakshmi

3.R.B.Sethunath

4.R.B.Gopinath

... Appellants

Vs.

1.Sulochana Amma

2.Lalitha Bai @ Mani (Died)

3.Jeyasri @ Thangam

4.Prasanna

5.Padmaja

6.Rajagopalan Nair

7.Vijayakumaran @ Babu

8.Prasannan

9.Sabja Gowri

10.Karthikeyan Nair

11.Sudhi

12.S.R.Suji



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13.S.R.Sunitha

14.Sheeja

15.Pavithra

16.Sheela

17.Prasath

18.Madhavan Nair

19.M.Prasanth

20.M.Praveen

... Respondents

(Appellants 2 to 4 are brought on record as LR's of the deceased sole appellant and respondents 18 to 20 are brought on record as LR's of the deceased second respondent vide Court Order dated 30.11.2016 made in C.M.P.(MD).Nos. 11481, 11574 and 11575 of 2016 in S.A.(MD).Nos.SR54844, 54845 of 2011)

Prayer: Second Appeal filed under Section 100 of the Civil Procedure Code, to set aside the judgment and decree dated 19.11.2010 passed in A.S.No.35 of 2009 on the file of the Sub Ordinate Judge, Kuzhithurai (Camp Court)/II Additional Sub Judge, Nagercoil confirming the judgment and decree dated 31.10.2005 passed in O.S.No.58 of 2004 on the file of I Additional District Munsif, Kuzhithurai and allow the Second Appeal.

For Appellants : Mr.K.P.Narayanakumar

For R-1, R-3 to R-9 : Mr.N.GA.Natraj
and R-11 to R-17

For R-10 : Mr.K.Sreekumaran Nair



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COMMON JUDGMENT

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The learned counsel for the appellants seeks permission to withdraw the Second Appeals and has also circulated a letter to the Registry requesting for withdrawal.

2. Permission is granted. Accordingly, the Second Appeals are dismissed as withdrawn. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

23.02.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
Lm

To

- 1.The II Additional Sub Court,
Nagercoil.
- 2.The I Additional District Munsif Court,
Kuzhithurai.
- 3.The Section Officer,
V.R.Section,
Madurai Bench of Madras High Court,
Madurai.



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SUNDER MOHAN, J.

Lm

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