



S.A.(MD).No.29 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.02.2023

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

S.A.(MD).No.29 of 2023

and

C.M.P.(MD).No.747 of 2023

Ganesan Chettiar (Died)

1.Sudalai Muthu

2.Periasamy

... Appellants/2, 4 Appellants/Defendant
and legal heirs of sole defendant

Vs.

1.V.K.Palanirajan @ Radha

V.S.S.Subbiah (Died)

Arulmigu Sri Petha Nareeshwarar Petha
Nayaki Amman Thirukovil,
Vasudevanallur,
through its Akthars

...1st Respondent/1st Respondent /Plaintiffs

2.Shenbagavalli

3.Maheswari

...2nd & 3rd Respondents/3,5 Appellants/
legal heirs of sole defendant

Prayer: Second Appeal filed under Section 100 of the Civil Procedure Code,
to set aside judgment and decree passed in A.S.No.54 of 2016 on the file of the



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Sub court, Sankarankovil dated 11.10.2022 confirming the judgment and decree passed in O.S.No.175 of 2010 on the file of the District Munsif Judicial Magistrate Court, Sivagiri dated 15.02.2016 and allow the above second appeal.

For Appellants : Mr.T.Selvan
For R-1 : Mr.F.X.Eugene

JUDGMENT

The learned counsel for the appellants submits that the matter has been settled out of Court and seeks permission to withdraw the Second Appeal. He has also made an endorsement to that effect.

2. Permission is granted. Accordingly, this Second Appeal is dismissed as withdrawn. There shall be no order as to costs. Consequently, connected miscellaneous petition stands closed.

16.02.2023

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



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To

- 1.The Sub Court,
Sankarankoil.
- 2.The District Munsif cum Judicial Magistrate Court,
Sivagiri.
- 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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