



S.A.(MD)No.75 of 2004

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **27.03.2023**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

S.A.(MD)No.75 of 2004

and

M.P.(MD)No.1 of 2007

1.C.Kandaswamy (Died)

2.K.S.Gayathri

3.K.Saravana Selvan

4.K.Karthiga

5.K.Kasthuri

6.K.Gauthami

... Appellants

(Appellants 2 to 6 are brought on record as LR's of the deceased sole appellant vide Order of this Court dated 25.03.2022 in CMP(MD)No. 2194, 2196 & 2199 of 2022)

/Vs./

1.E.Ramachandran

2.T.Kanagaraj

3.Paul Pandian

... Respondents

(3rd Respondent is impleaded vide Court Order dated 26.04.2022 in M.P. (MD)No.1 of 2011)



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PRAYER: Second Appeal filed under Section 100 of the Civil Procedure Code to set aside the Judgment and Decree in A.S.No.46 of 2003 on the file of the District Judge, Kanyakumari District, Nagercoil, dated 03.02.2004 in modifying the Judgment and Decree in O.S.No.74 of 2001 on the file of the II Additional Sub Judge, Nagercoil, dated 18.03.2003.

For Appellants : Mr.K.P.Narayanakumar

For Respondents : No appearance (R1 & R2)

JUDGMENT

This matter is listed under the caption 'For withdrawal' today. The learned Counsel for the appellants has addressed a letter dated 17.03.2023 to the Registry requesting to post this matter for withdrawal. The learned counsel appearing for the appellants is also present and he also seeks permission of this Court to withdraw the Second Appeal.

2. Recording the said letter as well as the submission made by the learned counsel appearing for the appellants, the Second Appeal is



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dismissed as withdrawn. There shall be no order as to costs.

Consequently, connected miscellaneous petition is closed.

27.03.2023

Index : Yes / No

NCC : Yes / No

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TO:

1.The District Judge, Kanyakumari District, Nagercoil.

2.The II Additional Sub Judge, Nagercoil.

3.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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ABDUL QUDDHOSE, J.

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Judgment made in
S.A.(MD)No.75 of 2004

Dated:
27.03.2023