



S.A.No.1664 of 2000

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.01.2023

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

S.A.No.1664 of 2000

- 1.Damodaran
- 2.Saraswathi (Died)
- 3.Kumaresan (Died)
- 4.Lilly (Died)
- 5.Senthurvalli ... Appellants 1 to 5/Respondents/
Plaintiffs 2 to 6
- 6.Balasubramanian
- 7.Annasundari
- 8.Suyambulingam
- 9.Azhagusundari
- 10.Jeyasundari
- 11.Bala Sundari ... Appellants 6 to 11

[Appellants 6 to 11 were brought on record as LR's of the deceased 4th appellant vide order dated 08.07.2011 made in M.P.(MD) Nos.2 and 3 of 2010 in S.A.No.1664 of 2000]

- 12.Soundaravalli
- 13.Chairmasundari
- 14.Kousalya



S.A.No.1664 of 2000

15.Jeyasankari

16.Jeyasankar

17.Thiraviyakani

18.Ambiga

19.Anburaj

... Appellants 12 to 19

[Appellants 12 to 19 were brought on record as LR's of the deceased 3rd appellant vide order dated 06.11.2019 made in C.M.P.(MD) No.6853 of 2019 in S.A.No.1664 of 2000]

20.Ramalingam

21.R.Murugan

22.R.Saravana Selvi

23.Saradha

24.Kavitha

... Appellants 20 to 24

[Appellants 20 to 24 were brought on record as LR's of the deceased 2nd appellant vide order dated 06.11.2019 made in C.M.P.(MD) No.5759 of 2019 in S.A.No.1664 of 2000]

Vs

1.A.M.Abdul Salam (Died)

... 1st Respondent/Appellant/
Plaintiff

2.Sabur Fathima

3.Thamin Ansari

4.Sajitha Parveen

5.Thahira Irfan



S.A.No.1664 of 2000

WEB COPY

6.Abdul Kader

... Respondents 2 to 6

[RR2 to 6 were brought on record as LR's of the deceased sole respondent vide order dated 06.11.2019 in M.P.(MD) No.1 of 2014 in S.A.No.1664 of 2000]

[RR2, 4 and 5 – amended vide order dated 16.02.2021 made in C.M.P.(MD) No.1552 of 2021 in S.A.No.1664 of 2000]

7.A.Murugan (Died)

... 7th Respondent

[R7 was impleaded as a party respondent vide order dated 18.10.2019 made in C.M.P.(MD) No.6844 of 2019 in S.A.No.1664 of 2000]

8.M.Petchiammal

9.M.Jeyapaul

10.M.Kumar

11.M.Anand

... Respondents 8 to 11

[RR8 to 11 were brought on record as LR's of the deceased 7th respondent vide order dated 08.01.2021 made in C.M.P.(MD) No.6016 of 2020 in S.A.No.1664 of 2000]

Prayer:- Appeal filed under Section 100 of Civil Procedure Code to set aside the judgment and decree dated 09.06.2000 made in A.S.No.15 of 2000 on the file of the Additional District Court, Tuticorin reversing the judgment and decree dated 11.07.1996 made in O.S.No.143 of 1996 on the file of the Principal District Munsif's Court, Tuticorin.



S.A.No.1664 of 2000

For Appellants : Mr.M.P.Senthil
For RR2 to 6 : Ms.Jessi Jeeva Priya
RR1 & 7 : Died
For RR8 to 11 : No appearance

J U D G M E N T

The learned counsel for the appellants filed a memo stating that the 1st appellant, Damodaran on behalf of the other appellants had instructed him to withdraw the second appeal by letter dated 10.01.2023. The letter sent by the party is enclosed with the memo. Accordingly, the learned counsel for the appellants seeks leave of this Court to withdraw the second appeal.

2. Leave granted. The Second Appeal is dismissed as withdrawn. No costs.

24.01.2023

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

abr



S.A.No.1664 of 2000

WEB COPY

To

- 1.The Additional District Judge,
Tuticorin.
- 2.The Principal District Munsif,
Tuticorin.
- 3.The Section Officer, VR Section,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



S.A.No.1664 of 2000

S.SOUNTHAR, J.

abr

S.A.No.1664 of 2000

24.01.2023