



S.A.Nos.815 & 816 of 2004

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.09.2023

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THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

S.A.Nos.815 & 816 of 2004 &
C.M.P.No.6299 of 2004

In S.A.No.815 of 2004

Thangaraj

...Appellant

vs.

1.Chinnadurai

2.C.Diraviyam (died)

3.Nadatchi @ Thanganadatchi

4.Baby Saroja

5.Suba Jeyanthi

6.Santhoshkumar

7.Sujatha

8.Sasikumar

...Respondents

(Respondents 4 to 8 are brought on record as LR's of the deceased 2nd respondent vide Court order dated 30.06.2023 in M.P.(MD)Nos.1 to 3 of 2008 in S.A.No.815 of 2004)



S.A.Nos.815 & 816 of 2004

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Prayer: Second Appeal filed under Section 100 of the Code of Civil Procedure against the Judgment and Decree dated 16.07.2003 in A.S.No. 138 of 2002 on the file of the District Judge, Kanyakumari District at Nagercoil reversing the Judgment and Decree dated 18.12.2002 in O.S.No.85 of 1996 on the file of the Subordinate Judge, Padmanabapuram.

For Appellant : Mr.R.Devaraj

For Respondents : Mr.S.R.Krish Aravindh
for R3 and R5
R1, R2 - Died
No appearance
for R4, R6 to R8

In S.A.No.816 of 2004

Thangaraj

...Appellant

vs.

1.C.Diraviyam (died)

2.Chinnadurai

3.Baby Saroja

4.Suba Jeyanthi

5.Santhoshkumar

6.Sujatha

7.Sasikumar

...Respondents



S.A.Nos.815 & 816 of 2004

(Respondents 3 to 7 are brought on record as LR's of the deceased 1st respondent vide Court order dated 30.06.2023 in M.P.(MD)Nos.1 to 3 of 2008 in S.A.No.816 of 2004)

Prayer: Second Appeal filed under Section 100 of the Code of Civil Procedure against the Judgment and Decree dated 16.07.2003 in A.S.No. 139 of 2002 on the file of the District Judge, Kanyakumari District at Nagercoil reversing the Judgment and Decree dated 18.12.2002 in O.S.No.38 of 1996 on the file of the Subordinate Judge, Padmanabapuram.

For Appellant : Mr.R.Devaraj

For Respondents : Mr.T.Selvakumar for R3
R1, R2 - Died
No appearance for R4 to R8

COMMON JUDGMENT

The learned counsel appearing for the appellant in both the appeals submitted that the appellant has sent a letter dated 15.09.2023 requesting him to withdraw the appeals due to the reason that the matter has been amicably settled between the parties. Therefore, the learned counsel seeks permission of this Court to withdraw the appeals.



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2. In view of the submission of the learned counsel appearing for the appellant and the letter dated 15.09.2023 sent by the appellant, the Second Appeals are dismissed as withdrawn. The letter dated 15.09.2023 sent by the appellant shall form part of the Judgment. No costs. Consequently, the connected Miscellaneous Petition is closed.

19.09.2023

NCC:Yes/No

Index:Yes/No

Speaking/Non-speaking order

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To

- 1.The District Judge,
Kanyakumari District at Nagercoil
- 2.The Subordinate Judge, Padmanabapuram.
- 3.The Section Officer,
Vernacular Records Section,
Madurai Bench of Madras High Court,
Madurai.



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KRISHNAN RAMASAMY, J.

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19.09.2023