



**SA(MD).No.691 of 2013**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**WEB COPY**

**DATED : 04.01.2024**

**CORAM:**

**THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR**

**SA(MD).No.691 of 2013 and**  
**MP(MD).No.1 of 2013**

Sengol (died)

1.Marry

2.Nirmala

3.Nepolean

(Appellants 2 to 4 are brought on record as

LRs of the deceased sole appellant vide Court order, dated 02.01.2024

made in CMP(MD).Nos.17221 to 17223 of 2023

in SA(MD).No.691 of 2013)

... Appellants

-VS-

1.Sebasthiyan

2.Joseph

3.Jeevanandam

4.Arulmery

5.Amalapushpam

(respondents 4 and 5 were set ex parte in O.S.No.67 of 2010

and in first appeal hence, they were given up in the

Second Appeal and notice to them is not necessary in the present

Second Appeal)

.. Respondents

**PRAYER:** The Second Appeal is filed under Section 100 C.P.C to set aside the Judgment and decree, dated 17.06.2013 in A.S.No.67 of 2010 on the file of the learned Subordinate Judge, Sivagangai reversing the



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Judgment and decree, dated 30.01.2010 in O.S.No.69 of 2008 on the file of the learned District Munsif, Sivagangai.

For Appellants : Mr.V.R.Shanmuganathan

For Respondents : Mr.S.Srinivasa Raghavan for R1 and R3  
R2 – died  
R4 and R5 – exparte

### **JUDGMENT**

The learned counsel appearing for the appellants circulated a letter, dated 03.01.2024 stating that the appellants have requested for withdrawal of the Second Appeal through a letter, dated 02.01.2024 and sought for permission of this Court to withdraw this Second Appeal.

2. Considering the same, this Second Appeal is dismissed as withdrawn. No costs. Consequently, the connected Miscellaneous Petition is closed.

**04.01.2024**

Internet : Yes / No  
Index : Yes / No  
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To

1. The learned Subordinate Judge, Sivagangai.
2. The learned District Munsif, Sivagangai.



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***MUMMINENI SUDHEER KUMAR. J.***

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**MP(MD).No.1 of 2013**

**04.01.2024**