



SA(MD)No.50 of 2006

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 20.03.2024

CORAM

The Hon`ble Mr.Justice P. VADAMALAI

SA(MD).No.50 of 2006 and
CMP(MD).No.321 of 2006

1.Karthikayini Natchiar @ Petchiammal
2.V.V.S.Annasamy Pandian (died) . Appellants

Vs

1.Soundravalli (died)
2.Madasamy Thevar
3.Muthurathina Vel
4.Angappan (died)
(Memo, dated 02.09.2021 filed on 03.09.2021 in
USR.No.19613, is recorded to the effect that 2nd appellant died,
vide Court order, dated 07.03.2024 made in SA(MD).no.50 of 2006)

Memo dated, 22.02.2022 filed on 28.02.2002 in USR.No.5853,
in recorded as R1 and R2 died and R3 who is already on record, is
recorded as LR of the deceased R1 and R2 vide Court, order
dated 07.03.2024 made in SA(MD).No.50 of 2006)

Memo dated 29.12.2017 filed on 18.01.2018, in recorded to the
effect that R4 died, vide Court order dated 07.03.2024 made
in SA(MD).No.50 of 2006. ... Respondents / defendants

Prayer: Second Appeal filed under Section 100 CPC against the Judgment
and Decree passed in A.S.No.61 of 2004 on the file of the Sub Court,



SA(MD)No.50 of 2006

Paramakudi dated 06.09.2005 confirming the Judgment and Decree passed in O.S.No.33 of 2001 on the file of the District Munsif Cum Judicial Magistrate, Kamudhi, dated 14.06.2004.

For appellant : Mr.M.P.Senthil
Respondents 1 and 2 : died
For 3rd respondent : Mr.K.S.Ramalingam
Respondent No.4 : Died

JUDGMENT

The learned counsel appearing for the appellant already filed a memo stating that the first appellant is the only legal heir of the deceased 2nd appellant and the said memo is recorded. Further, he has also filed a memo for withdrawal of the case stating that both the parties have settled the matter amicably between them out of Court and seeks permission of this Court to withdraw this appeal and he has also made an endorsement to that effect.

2. In view of the memo and the endorsement made by the learned counsel for the appellant, the Second Appeal is dismissed as



SA(MD)No.50 of 2006

withdrawn. No costs. Consequently, the connected Miscellaneous Petition is closed.

20.03.2024

Index: Yes / No
Internet : yes / No

trp

To

1. The Sub Court, Paramakudi
2. The District Munsif Cum Judicial Magistrate, Kamudhi,



WEB COPY



SA(MD)No.50 of 2006

P. VADAMALAI,J

trp

SA(MD).No.50 of 2006 and
CMP(MD).No.321 of 2006

20.03.2024