



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 13.10.2025

Coram

The Hon'ble Mr. Justice **P.DHANABAL**

S.A.No.653 of 2018

and

C.M.P.No.5122 of 2025

Padmavathy

...Appellant

Vs

- 1.C.R.Balachander
- 2.R.Siddhiah (Died)
- 3.R.Shanmugam (Died)
- 4.R.Ramakrishnan (Died)
- 5.R.Sivaraj (Died)

Rukmani (Died)

- 6.Mallika
- 7.V.Sasikala @ Kalavathy
- 8.C.V.Madhusudhanan
- 9.C.V.Kiruthika
- 10.R.Vigneshwaran
- 11.R.Sasi Rekha
- 12.Nalina Ganesh
- 13.S.Raghuram
- 14.Siva Shankari
- 15.S.Rajeshwari
- 16.Abirami Balachandar
- 17.S.Gowri

...Respondents



R2, R3, R4 and R5 are died, memo dated 02.02.2024 vide USR No.4040 is recorded.

R3 died, sole appellant and RR1 to 9 (already on record) are LR's of R3.

R4 died, RR10 and 11 are brought on record as LR's of R4.

R2 died, RR12 to 14 are brought on record as LR's of R2.

R5 died, RR15 to 17 are brought on record as LR's of R5 vide Court order dated 14.02.2024 made in CMP Nos.3043, 3050, 3049, 3066, 3048, 3053 and 3051 of 2024 in S.A.No.653 of 2018 (PBBJ).

RR7 to 9 names are amended vide Court order dated 24.04.2025 made in CMP.No.26585 of 2024 in S.A.No.653 of 2018 (AANJ)

The Second Appeal filed under Section 100 of CPC, against the judgment and decree made in A.S.No.51 of 2014 dated 28.06.2017 on the file of the III Additional District & Sessions Court, Coimbatore, confirming the judgment and decree passed in O.S.No.742 of 2011 dated 31.01.2014 on the file of the II Additional Subordinate Court, Coimbatore.

For Appellant : Mr.R.Chandra Sudan

For R1 : Notice returned

For RR6 to 9
For RR12 to 17 : Mr.S.Anburaja

For RR10 & 11 : Mr.S.Ramachandran

**JUDGMENT**

The appellant filed an affidavit seeking permission to withdraw her consent to the Memo of Compromise dated 04.11.2024 entered between the appellant and the respondents 6 to 17 before the Mediator, Mediation Centre, Coimbatore and also to withdraw the Second Appeal in S.A.No.653 of 2018 on the file of this Court confining herself to the preliminary decree passed by the trial Court.

2.The learned counsel appearing for the 6th to 17th respondents would submit that already they have given consent for change of vakalat and the respondents had not preferred any appeal against the judgment and decree of the trial Court.

3.In view of the above, since the mediation report has not been recorded by this Court, the learned counsel appearing for the respondents had given consent for change of vakalat and the appellant herself wants to withdraw the Appeal, this Second Appeal is dismissed as withdrawn. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

13.10.2025

smv

Index:Yes/No

Neutral Citation:Yes/No



To

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1. The III Additional District & Sessions Court, Coimbatore.
2. II Additional Subordinate Court, Coimbatore.
3. The Section Officer, VR Section, Madras High Court.



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P.DHANABAL,J.

smv

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