



S.A(MD)No.46 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATE : 30.01.2025

CORAM:

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

S.A(MD)No.46 of 2019

1.Sreekumari Devi

2.Girish

3.Kumar

: Appellants

Vs.

1.Swaminathan Nadar

2.Rosamma

3.Vivekananda

4.Ananda Jothi

5.Sadananthi

6.Elizabath

7.Babu

8.Aali

9.Joseph

10.Thomas

11.Sathiadhas



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12.Alphonse

Chellappan Nadar (died)

13.Rayappan

14.Nelson

15.Rugminibai

16.Anthony

17.Thankammal

18.Thankavadivu

19.Thankabai

20.Ponnupilla

21.Muthuswamy

22.Selvaraj

23.Chellan

24.Ramakrishnan

25.Maheswaran

26.Saraswathi

27.Escava

Therasammal (died)

28.Sreenivasan



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29.Vijayan

30.Sankar

: Respondents

(Respondents 2, 4 to 6, 8 to 16, 18 to 22 and 25 to 28 did not appear in the lower appellate Court in A.S and hence service of notice on them may be dispensed with in the second appeal)

Prayer : Second Appeal filed under Section 100 of C.P.C., to set aside the judgment and decree, dated 24.08.2018 made in A.S.No.13 of 2007 on the file of the Subordinate Judge, Kuzhithurai, confirming the judgment and decree, dated 01.09.2006 made in O.S.No.405 of 2000 on the file of the II Additional District Munsif Court, Kuzhithurai.

For Appellants : Mr.K.N.Thampi

For Respondents : Mr.H.Thayumanasamy, for R1, R3 to R5.

: Respondents 6, 8 to 16, 18 to 22,

25 to 28 – Dispensed with.

: No Appearance, for 7, 17, 23, 24, 29, 30.

JUDGMENT

The second appeal is directed against the judgment and decree made in A.S.No.13 of 2007, dated 24.08.2018 on the file of the Subordinate Judge, Kuzhithurai, confirming the judgment and decree, dated 01.09.2006 made in O.S.No.405 of 2000 on the file of the II Additional District Munsif Court, Kuzhithurai.



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WEB COPY 2. This matter is listed today under the caption 'for withdrawal'.

3. When the matter is taken up for hearing today, the learned counsel appearing for the appellants seeks permission of this Court to withdraw this appeal and he has also filed a memo to that effect.

4. Recording the same, the Second Appeal is dismissed as withdrawn.

No costs.

30.01.2025

NCC : Yes/No

Index : Yes/No

Internet : Yes/No
das

To

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



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K.MURALI SHANKAR,J.

DAS

Order made in
S.A(MD)No.46 of 2019

Dated : 30.01.2025