



WEB COPY

AS No. 508 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-02-2026

CORAM

THE HON'BLE MR JUSTICE N. SATHISH KUMAR

AND

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

AS No. 508 of 2019

&

CROS.OBJ Nos. 38 and 40 of 2019

&

CMP NO. 14262 OF 2019

AS No. 508 of 2019

1. Bharathi (Deceased)

2. Nirmala

3. Kavitha

4. K.Vijayalakshmi

A1, Died, A4 brought on record as Lrs Of
Deceased 1st Appellant Viz, Bharathi, Vide
Order Of Court Dated 19/08/2021 Made In
CMP.Nos.12654 And 12657/2021 In
As.No.508 Of 2019 (MMSJ and SKJ)

..Appellant(s)

Vs

1. Muthammal

2. Sellammal

3. V.Kamalam

4. V.Sivakumar

5. P.Leelavathy



6. Divyapraba

7. P.Duraisamy

8. C.Muthammal

9. S.Allimuthu

10.P.Saraswathi

11.P.Sakthivel

12.P.Kannan

13.P.Chandrasekaran

[R1 Died, R9 TO R13 are brought on record as LRS of deceased 1st Respondent Viz., Muthuammal Vide order of Court dated 25.01.2023 made in CMP.NO.12659 of 2021 (SVNJ JSNPJ)]

Appeal filed under Section 96 of CPC to set aside the Judgment and decree so far as against them made in OS No. 134/2004 dated 31/08/2018 on the file of the Additional District Judge, Namakkal.

For Appellant(s): Mr.R.Asokan
for Mr.R.Ashraf Khan

For Respondent(s): M/s.N.Manokaran
for RR2, 3, 4, 8, 9 to 13
Mr.R.Prabakar for R6

Mr.P.Dinesh Kumar for R5

CROS.OBJ No. 38 of 2019

1. Muthammal (died)

2. Sellammal

3. V.Kamalam



4. V.Sivakumar

5. C.Muthammal

6. S.Alimuthu

7. P.Saraswathi

8. P.Sakthivel

9. P.Kannan

..Cross Objector (s)

10.P.Chandrasekaran

[Cross Objectors 1 Died. Cross Objectors 6 to 10 are brought on record as Lrs of deceased 1st Cross Objector viz., Muthammal vide order of Court dated 25.01.2023 made in C.M.P.No.675 of 2022 in Cross Objection No.38 of 2019 in A.S.No.508 of 2019 {SVNJ & JSNPJ}]

Vs

1. Bharathi

2. Nirmala

3. Kavitha

4. P.Leelavathy

5. P.Duraisamy

6. Divyaprabha

..Respondent(s)

Cross Objection filed under Order XLI Rule 22 of CPC to set aside the judgment and decree dated 31-08-2018 made in OS NO.134 of 2004 on the file of the Learned Additional District Court, Namakkal in respect of the disallowed portion, by allowing this Cross Objection.

For Cross Objectors : Mr.N.Manoharan



For Respondents

: Mr.R.Asokan for R1 to R3

Mr.P.Dinesh Kumar for R4

Mr.P.Prabhakar for R6

CROS.OBJ No. 40 of 2019

Divyaprabha

Cross Objector

Vs

1. Bharathi
2. Nirmala
3. Kavitha
4. Muthammal
5. Sellammal
6. V.Kamalam
7. V.Sivakumar
8. P.Leelavathy
9. P.Duraisamy
- 10.C.Muthammal

..Respondent(s)

Cross Objection filed under Order XLI Rule 22 of CPC to set aside the judgment and decree dated 31.08.2018 made in OS No.134 of 2004 on the file of the learned Additional District Court, Namakkal, in respect of the disallowed



portion, by allowing this Cross Objection.

For Cross Objectors:

Mr.R.Prabakar

For Respondent(s):

Mr.R.Asokan for R1 to R3

R4 -Died

Mr.N.Manokaran for R5, R6, R7 and R10

Mr.P.Dineshkumar for R8

Judgment

(Judgment of the Court was delivered by N.Sathish Kumar J.)

The learned counsel for the appellants in the appeal suit and cross-objectors in the cross-objections seek permission of this Court to withdraw the appeal and the cross-objections. They have also made endorsements in the respective case files.

2. Recording the endorsements, the appeal suit and cross objections are dismissed as withdrawn. It goes without saying that decree and judgment of the trial Court is binding on the parties. Consequently, the connected miscellaneous petition is closed. There shall be no order as to costs.

(N.S.K.,J.) (R.S.V.,J.)
27-02-2026

gpa



AS No. 508 of 2



**N.SATHISH KUMAR J.
AND
R.SAKTHIVEL J.**

gpa

**AS No. 508 of 2019
&
CROS.OBJ Nos. 38 and 40 of 2019
&
CMP NO. 14262 of 2019**

27-02-2026