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S.A.NOS.1656 & 1657 OF 2003

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21/04/2026

CORAM:

THE HONOURABLE MR. JUSTICE R.SAKTHIVEL

S.A.NOS.1656 & 1657 OF 2003

S.A.NO.1656 OF 2003

Allapitchai
S/o.Mohammed Ali
Mettu Street,
Madavi Road,
Perambalur.

...Appellant/Appellant /
Plaintiff

Vs.

1.Arukkani Ammal
W/o.Angamuthu,
East Street,
Perambalur.

2.Elangovan,
S/o.Angamuthu,
East Street,
Perambalur.

3.Nalla Thambi,
S/o.Angamuthu,
East Street,
Perambalur.

4.Chinnadurai,
S/o.Angamuthu,
East Street,
Perambalur.

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5.Elanjiyam,
S/o.Angamuthu,
East Street,
Perambalur.

...Respondents/Respondents/
Defendants

PRAYER: Second Appeal filed under Section 100 of Code of Civil Procedure, 1908, praying to set aside the Judgment and Decree dated February 26, 2002 made in A.S.No.19 of 2000 on the file of the Additional District Judge-cum-Chief Judicial Magistrate, Perambalur confirming the Judgment and Decree dated March 25, 1994 made in O.S.No.119 of 1992 on the file of the District Munsif Court at Ariyalur.

For Appellant	:	No appearance
For Respondent-1	:	Died
For Respondents-2 to 5	:	Mr.A.Ilango

S.A.NO.1657 OF 2003

Allapitchai
S/o.Mohammed Ali
Mettu Street,
Madavi Road,
Perambalur.

...Appellant/Appellant /
1st Defendant

Vs.

1.Paramasivam
S/o.Ponnusamy

2.Chinnasamy
S/o.Sengamalai

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3.Angamuthu
W/o.Sengamalai

4.Arukkani
W/o.Angamuthu

5.Nalla Thambi
S/o.Angamuthu

6.Chinnadurai
S/o.Angamuthu

7.Elanjiyam
S/o.Angamuthu

8.Elangovan
S/o.Angamuthu
Respondents 1 to 8 are residing
at East Street, Perambalur.

9.Pappa
D/o.Chinnaiyan
East Street,
Perambalur.

10.Paramasivam
S/o.Chinnaiyan
Adhidraavidar Street,
Mariamman Koil Street near Perambalur.

11.Kalavathy
W/o.Ramasamy Chettiar
Colony, Sangu near Perambalur.

12.Chitra
W/o.Balachandran
Adhidraavidar Street,
Mariamman Koil Street near Perambalur.

...Respondents/Respondents/
Plaintiffs



S.A.NOS.1656 & 1657 OF 2003

PRAYER: Second Appeal filed under Section 100 of Code of Civil Procedure, 1908, praying to set aside the Judgment and Decree dated February 26, 2002 made in A.S.No.18 of 2000 on the file of the Additional District Judge-cum-Chief Judicial Magistrate, Perambalur confirming the Judgment and Decree dated March 25, 1994 made in O.S.No.137 of 1993 on the file of the Additional District Munsif Court at Ariyalur.

For Appellant	:	No appearance
For Respondent-4	:	Died steps due
For Respondents- 1, 2 & 3, 5 to 12	:	Mr.A.Ilango

COMMON JUDGMENT

Daily Order dated April 20, 2026 passed in S.A.No.1656 of 2003 reads thus:

“Pursuant to the order dated April 6, 2026, the Appellant’s name has been shown in the cause list.

2.Despite name has been shown in the cause list, no representation for the Appellant. Appellant is called absent.

3.Mr.A.Ilango, Counsel on record for the Respondent Nos.2 to 5 is before the Court.

4.List the matter on April 21, 2026.”



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2.Daily Order dated April 20, 2026 passed in S.A.No.1657 of 2003

reads thus:

“M/s.Sarvabhauman Associates, already reported “No Instructions”.

2.Hence, Registry is directed to print the name of the Appellant.

3.List the matter on April 21, 2026.”

3.There is no representation for the Appellant in both the Appeals.

4.The Appellant was called absent.

5.As it could be seen from the above, despite sufficient opportunities given, the Appellant in both the Appeals did not choose to appear and argue these Second Appeals. Under these circumstances, this Court has no other option except to dismiss the Second Appeals for non prosecution. Accordingly, the Second Appeals are dismissed for non prosecution. Considering the facts and circumstances of the case, there shall be no order as to costs.

21/04/2026

Index : Yes / No
Speaking Order : Yes / No
Neutral Citation : Yes / No
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To

1.The Additional District Judge-cum-Chief Judicial Magistrate,
Perambalur.

2.The District Munsif Court at Ariyalur.

3.The Additional District Munsif Court at Ariyalur.



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R. SAKTHIVEL, J.

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