

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.03.2015

CORAM

THE HONOURABLE MR. JUSTICE S.NAGAMUTHU

Second Appeal No.1155 of 2014
and
M.P.No.1 of 2014

Krishnamurthy

...Appellant/Plaintiff

Vs.

Pavadai Padayachi (died)

1.Ramasamy

2.Jagannatha Padayachi

3.Valarmathi

...Respondents/Defendants

Prayer:- This second appeal has been filed under Section 100 C.P.C., to set aside the judgment and decree dated 24.07.2014 passed in A.S.No.42/1999 on the file of the learned I Additional Subordinate Judge of Cuddalore confirming the judgment and decree dated 29.04.1999 passed in O.S.299/1995 on the file of the Principal District Munsif, Cuddalore.

For Appellant : No appearance

JUDGEMENT

This second appeal has come up today for admission.

2. Despite the fact that this second appeal has been pending for a long time and though the matter has been listed on several occasions, the learned counsel for the appellant has not ready to argue the matter. On 17.02.2015, when the matter came up for hearing before this Court, there was no representation on behalf of appellant and hence, the matter was ordered to be listed "for dismissal" on 18.02.2015. On 18.02.2015, when the matter was called, the learned counsel for the appellant has sought for time to argue the matter. At his request, the caption "for dismissal" was removed and the matter was again adjourned to 06.03.2015. On 06.03.2015 also, at

request of the learned counsel for the appellant, the matter was adjourned to 10.03.2015. On 10.03.2015, since, there was no representation on behalf of the appellant, the matter was ordered to be listed under the caption "for dismissal". On 16.03.2015 also there was no representation for the appellant.

3. Today (27.03.2015) also, there is no representation for the appellant. It appears that the appellant is not interested in prosecuting the matter further.

4. In view of all the above, the second appeal is dismissed for non prosecution. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

jbm

To

1. The I Additional Subordinate Judge,
Cuddalore.
2. The Principal District Munsif,
Cuddalore.

1 CC to R.Gururaj, Advocate SR.No. 17577

Second Appeal No.1155 of 2014

KU (CO)
PSI (16.04.2015)

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