

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 01.10.2015

CORAM:

THE HON'BLE MR. JUSTICE P.R.SHIVAKUMAR

Second Appeal No.957 of 2000

Kandasami Gounder

...Appellant (Defendant)

Vs

1.Marayee
2.Pappathi
3.Chinnammal
4.Nalla Gounder
5.Subramaniam

...Respondents (Plaintiffs)

Prayer: Second Appeal filed under Section 100 of the Code of Civil Procedure against the Judgment and Decree of the Second Additional District Judge, Erode dated 08.09.1999 made in A.S.No.68 of 1999 against the Judgment and decree of the Subordinate Judge, Bhavani dated 09.09.1998 made in O.S.No.515 of 1996.

For Appellant : No Appearance

For Respondents : Mr.T.Murugamanickam

JUDGMENT

Mr.A.K.Kumaraswamy, learned counsel who entered appearance on behalf of the appellant, filed a Memo on 27.08.2015 to the effect that he was withdrawing his appearance for the appellant. After recording the Memo, this court directed the Registry to print the name of the appellant and list the second appeal under the caption 'For Dismissal' with the intention of affording one more opportunity to the appellant to have the appeal argued and inviting a judgment on merit. Thus the matter stands listed today under the caption 'For Dismissal'. The name of the appellant is also found printed in the cause list. Still there is no representation for the appellant. Hence

this court deems it appropriate to dismiss the second appeal for non-prosecution. However since the learned counsel for the contesting respondents does not press for cost, there shall be no order as to cost.

In the result, the second appeal is dismissed for non-prosecution. However, there shall be no order as to cost.

Sd/-
Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

asr

To

1.The II Additional District Judge,
Erode.

2.The Subordinate Judge,
Bhavani.

Copy to

The Section Officer,
V.R.Section,
High Court, Madras.

Second Appeal No.957 of 2000

SK (CO)
PSI (12.10.2015)

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