

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 15.02.2012

CORAM

THE HONOURABLE MR.JUSTICE S.TAMILVANAN

S.A. No.1347 of 2010

and

M.P. No.1 of 2010

K. Sugumar

... Appellant/Plaintiff

versus

1. P.K. Sundaram

2. P.K. Arumugham

3. T. Varadarajan @ Viji

... Respondents/Defendants

Appeal is filed under Section 100 of the Civil Procedure Code against the judgment and decree dated 30.08.2010 made in A.S. No.18 of 2009 on the file of the Principal District Judge, Chengalpet confirming the judgment and decree dated 01.06.2009 made in O.S. No.86 of 2006 on the file of the Subordinate Judge, Maduranthakam.

For Appellant : No appearance

For Respondents: Mr. A. Muthukumar for R1

JUDGMENT

As there was no representation for the appellant, the matter was ordered to be posted under the caption "for dismissal". Even today, though the matter was passed over till 11.55 p.m., there is no representation for the appellant. Learned counsel appearing for the respondents is ready.

2. In the aforesaid circumstances, this Court is of the view that the appellant is not interested in prosecuting the case, hence the appeal is liable to be dismissed for non prosecution.

3. In the result, this second appeal is dismissed. No order as to costs. Consequently, connected M.P. is also dismissed.

Sd/-

Assistant Registrar

/TRUE COPY/

Sub Assistant Registrar

vga

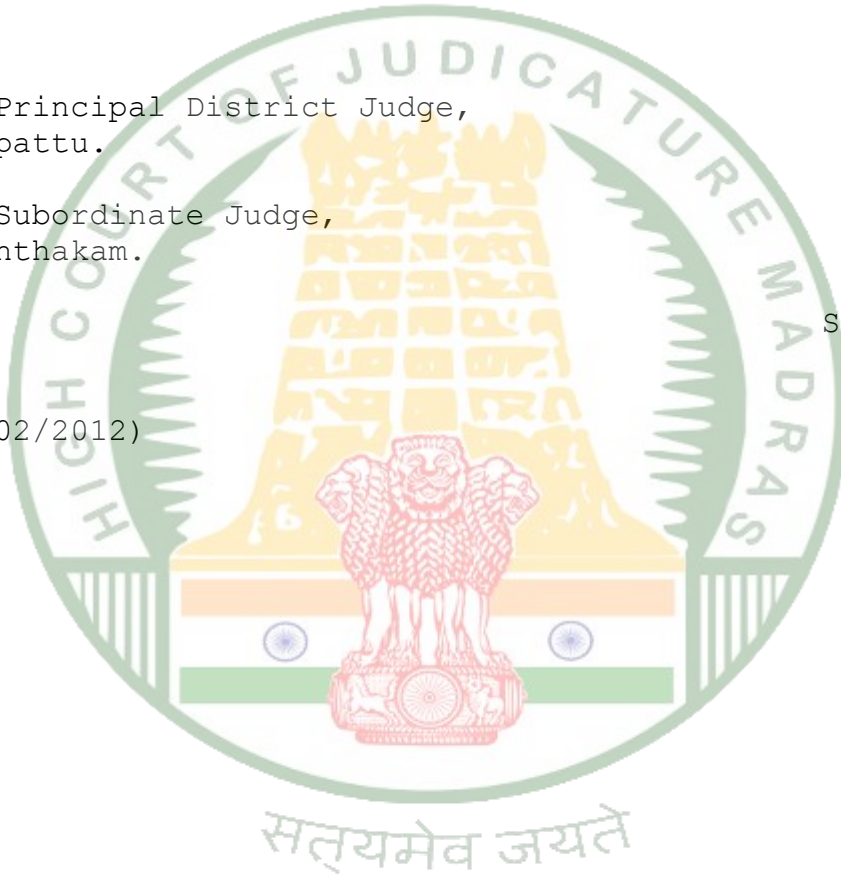
To

1. The Principal District Judge,
Chengalpattu.

2. The Subordinate Judge,
Madhuranthakam.

S.A. No.1347 of 2010

NM (CO)
KSA (27/02/2012)



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