

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.11.2015

Coram

The Hon'ble Mr. Justice S.NAGAMUTHU

Second Appeal No.800 of 2015

S.Kanniappan

..Appellant/Plaintiff

Vs

1.Rajendran
2.Panneerselvam
3.Saroja
4.Chinnaiyan
5.Minor Mukeshraj
6.Minor Rohithraj ..Respondents/Defendants
(minor respondents 5 and 6 1,4 to 6
rep. by guardian R1)

Second Appeal filed under Section 100 C.P.C. preferred against the judgment and decree dated 02.04.2013 made in A.S.No.4 of 2010 on the file of the I Additional District and Sessions Judge, Vellore, Vellore District modifying the decree and judgment of the learned Subordinate Judge, Vellore dated 18.03.2009 made in O.S.No.260 of 1997.

For Appellant .. No appearance

JUDGMENT

The plaintiff in O.S.No.260 of 1997 on the file of the learned Sub Judge, Vellore, is the appellant herein. The respondents are the defendants in the suit. The said suit was filed for partition and for separate possession and also for mesne profits. The suit was decreed as prayed for. As against the same, the defendants filed an appeal in A.S.No.4 of 2010 on the file of the learned I Additional District and Sessions Judge, Vellore. By the decree and judgment dated 02.04.2013, the lower appellate Court partly allowed the appeal and partly set aside the decree and judgment of trial Court. As against the same, the appellant has come up with this appeal.

2.When the appeal came up for hearing on 02.11.2015, Mr.A.Rajendra Kumar, learned counsel, who is on record for the

appellant, withdrew his appearance. But the appellant was not present. The second appeal was therefore adjourned to today. The appellant's name is printed in the cause list also. Today also, the appellant has not made appearance. There is no representation. It appears that the appellant is not interested in prosecuting the appeal further. The second appeal is therefore dismissed for default. No costs.

Sd/
ASSISTANT REGISTRAR (CS-IV)

/TRUE COPY/

SUB-ASSISTANT REGISTRAR

mmi

To

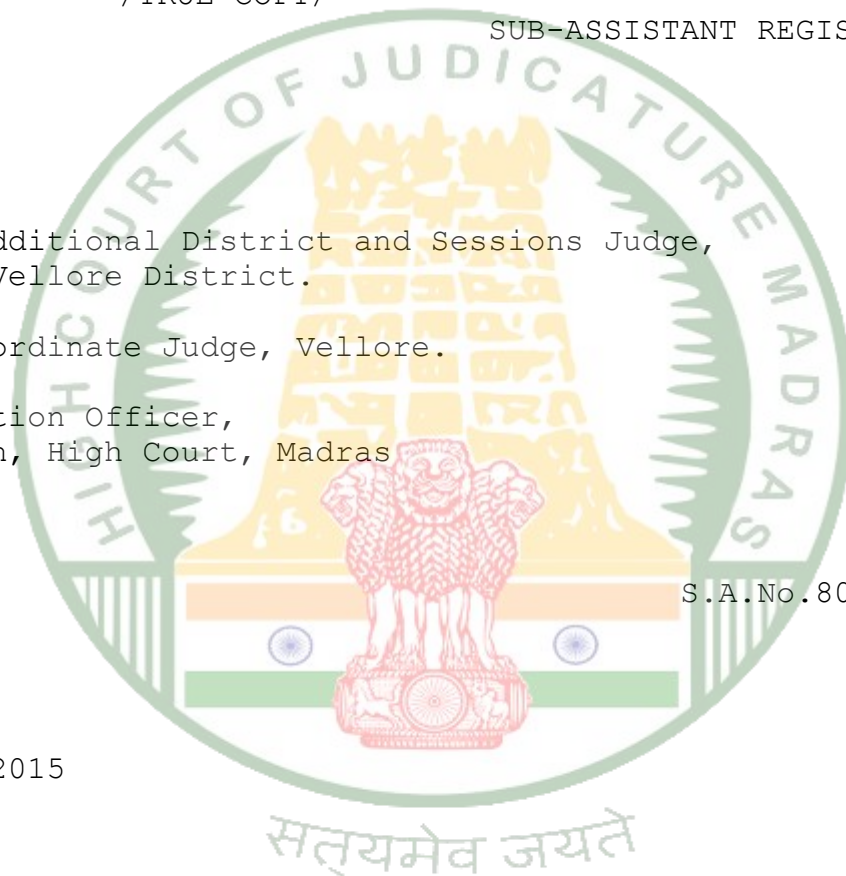
1.The I Additional District and Sessions Judge,
Vellore, Vellore District.

2.The Subordinate Judge, Vellore.

3.The Section Officer,
VR Section, High Court, Madras

S.A.No.800 of 2015

CO-SKV
JD 09/12/2015



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