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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.02.2015

CORAM

THE HONOURABLE MR. JUSTICE S.NAGAMUTHU

Second Appeal No.28 of 2011

1.P.Samynathan
2.Kuppulakshmi ... Appellants/Defendants

Vs.

1.Subbaraya Gounder
2.S.Kandasamy Gounder
3.S.Rathinasamy
4.P.Kandasamy Gounder
5.Muthulakshmi
6.Minor Prabavathi
7.Minor S.Suganya
(minors rep. by their grandian & mother, Muthulakshmi) ... Respondents/Plaintiffs

Prayer:- This second appeal has been filed under Section 100 C.P.C., against the judgement and decree dated 21.08.2009 in A.S.No.19 of 2008 on the file of the learned Additional Subordinate Judge, Tirupur passed against the judgement and decree in O.S.No.737 of 2004 dated 25.02.2008 on the file of the learned District Munsif, Tiruppur District.

For Appellants : No Appearance

For Respondents : No Appearance

JUDGEMENT

This second appeal has come up today for admission. There is no representation for the appellants as well as the respondents.

2.Earlier, when this second appeal came up for admission on 24.01.2011, notice of motion was ordered. When it came up for hearing on 06.01.2015, the learned counsel for the appellants took adjournment. Again when the matter was listed on 22.01.2015, the learned counsel for the appellants on record filed a memo withdrawing his appearance. The appellants were also not present in Court. However, with a view to afford yet another opportunity to the appellants, the matter was adjourned to 04.02.2015 with a direction to the Registry to print the names of the appellants in the cause list.

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3.Accordingly, the names of the appellants were printed in the cause list and the matter was posted on 09.02.2015. Even on that day, the appellants did not appear before this Court. Hence with a view to afford final chance to the appellants, the matter was ordered to be listed for dismissal on 16.02.2015.

4.Even today (16.02.2015) also, the appellants have not made appearance. There is no representation for them also. It appears that the appellants are not interested in prosecuting the matter further.

5.In the result, the second appeal is dismissed for default. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

jbm

To
1.The Additional Subordinate Judge,
Tirupur.

2.The District Munsif,
Tiruppur District.

Copy to: The Section Officer,
VR Section, High Court,Madras.

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