

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.08.2015

CORAM

THE HONOURABLE MR. JUSTICE P.R.SHIVAKUMAR

S.A.No.233 of 2001

S.Chenniappan

.. Appellant/2nd Respondent/
2nd Defendant

-Vs-

1.S.Thiagarajan
2.S.Parthiban
3.S.Kumaravelu
4.S.Dakshinamurthy
5.Official Receiver
District Court Complex
Salem

.. Respondents/Appellants &
R1 and R3/Plaintiffs
Defendants 1 & 3

Second Appeal filed under section 100 of C.P.C against the judgment and decree of the Court of the III Additional District Judge, Salem in A.S.No.213 of 1999 dated 14.07.2000 reversing the judgment and decree of the Court of the Sub-ordinate Judge, Namakkal in O.S.No.208 of 1995 dated 30.07.1999.

For Appellant : No appearance

For Respondents : Mr.V.Sanjeevi for R1 to R3
No appearance for R4 and R5

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JUDGMENT

The counsel engaged by the appellant is no more. The said fact was intimated to the appellant by an order of this Court dated 02.03.2010. Though the appellant was served with such an intimation informing him the death of the counsel and requiring him to appear either in person or through another counsel, he has not chosen to do so. When the matter stood listed on 31.07.2015 and 13.08.2015, the appellant left the case without any representation. In order to give him one more opportunity, the second appeal was directed to be listed today under the caption "For Dismissal". Today also there is no representation for the appellant even though his name stands printed

in the cause list as it was done on the previous dates of hearing.

2. Under the said circumstances, this Court does have no other option than to dismiss the second appeal for non-prosecution. Accordingly, the second appeal is dismissed for non-prosecution. However, there shall be no order as to costs as it is not pressed by the learned counsel for the respondents.

-s/d-

Assistant Registrar(CSIII)

dt:08/9/2015

True Copy

Sub-Assistant Registrar

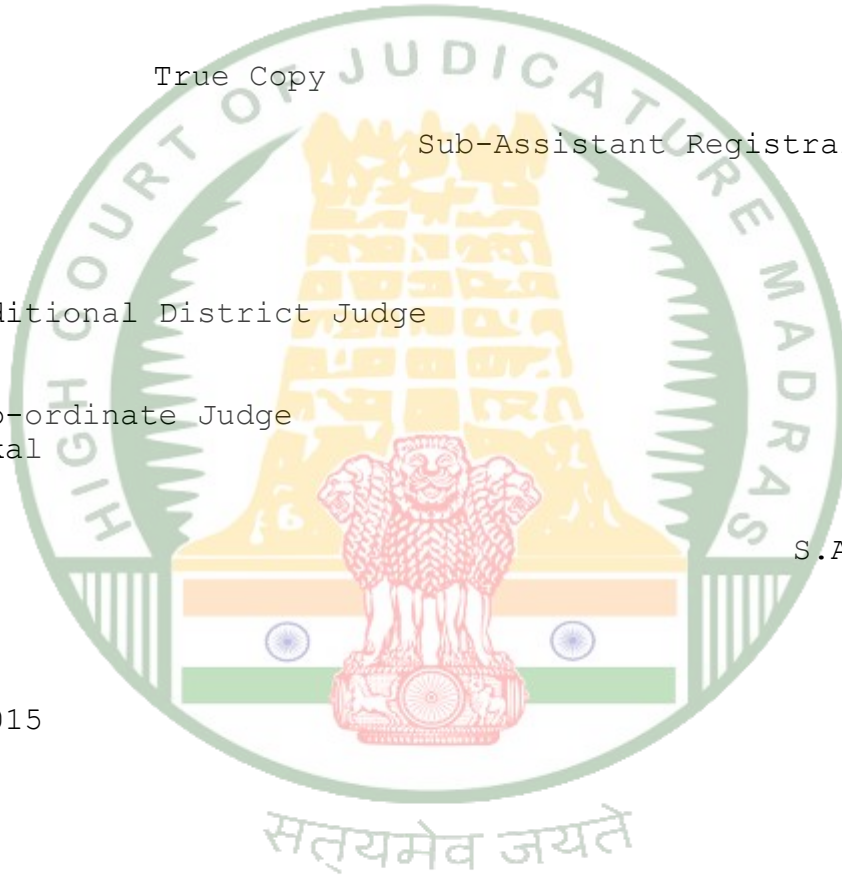
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To

1. III Additional District Judge
Salem

2. The Sub-ordinate Judge
Namakkal

S.A.No.233 of 2001

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