



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.06.2015

CORAM

THE HONOURABLE MR. JUSTICE P.R. SHIVAKUMAR

SECOND APPEAL (MD) No.203 of 2015

WEB COPY

1. Palaniyandi

2. Vellaiyapillai

... Appellants/Appellants/Defendants

Vs.

Palanisamy

.. Respondent/Respondent/Plaintiff

Prayer:- Second Appeal is filed under Section 100 of the Code of Civil Procedure, 1908 against the Judgment and decree dated 29.10.2013 passed in Appeal Suit No.19 of 2013 by the Sub Court, Uthamapalayam confirming the Judgment and decree dated 26.03.2013 passed in Original Suit No.321 of 2011 by the District Munsif Court, Uthamapalayam.

For Appellants : No appearance

For Respondent : Mr.C.Moorthy

JUDGMENT

As there was no representation for the appellants on the previous date of hearing, this Court directed listing of the matter under the caption "for dismissal" with a view to give one more opportunity to the appellants to invite a Judgment on merit, after advancing arguments. Today, the matter stands listed under the caption "for dismissal". Today also, there is no representation for the appellants. The learned counsel for the respondent is present. It is pertinent to note that from 25.02.2015, the matter has been left without any representation. Hence, this Court is constrained to dismiss the appeal for non-prosecution.

2. Accordingly, the Second Appeal is dismissed for non-prosecution. However, this Court does not pass any order regarding cost, since it is not pressed on behalf of the respondent.

Sd/-

Assistant Registrar(AE)

/True Copy/



To

1.The Subordinate Judge,
Uthamapalayam.

2.The District Munsif ,
Uthamapalayam.

ps

RL/3 c- 25/6/2015

S.A (MD) No.203 of 2015

16.06.2015