

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 26.10.2016
CORAM
THE HONOURABLE DR. JUSTICE G. JAYACHANDRAN
S.A.No. 264 of 1989

Parvathy Ammal

...Appellant/Defendant

Vs.

1. Kandasamy Mudaliar
2. Marudhachalam
3. Chenniappa Mudaliar
4. Palaniappa Mudaliar
5. Chockalinga Mudaliar
6. Ramasamy Mudaliar
7. Annamalai Mudaliar

...Respondents/Plaintiffs

Prayer:- This Second Appeal is filed under Section 100 of Civil Procedure Code against judgment and decree passed in A.S.No.137 of 1987 dated 14.10.1988 on the file of the Principal District Judge, Coimbatore confirming the judgment and decree dated 25.09.1987 in O.S.No.2435 of 1982 passed by the Principal District Munsiff, Coimbatore.

For Appellant : No Appearance

For Respondents: No Appearance

JUDGMENT

When the matter was taken up for final disposal, on an earlier occasion, no representation for the appellant and also for the respondents and the matter was dismissed for default on 20.06.2000.

2. Then the appellant herein has taken out an application for restoration vide C.M.P.No. 20348 of 2001 and the same was allowed by this Court on 20.11.2014. Thereafter, again, when the matter was listed today for final hearing, there is no representation for both the parties.

3. This suit is one for specific performance filed in the year 1982, which was allowed by the trial Court and confirmed by the appellate Court. Aggrieved by the concurrent judgments, the present appeal is filed in the year 1989 and restored in the year 2014, after the same came to be dismissed for default in the year 2000.

4. Considering the issue involved in the case, this Court of the view that the appellant has no real seriousness, about the pursuance of the appeal. Hence the appeal is dismissed for default. No orders as to costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

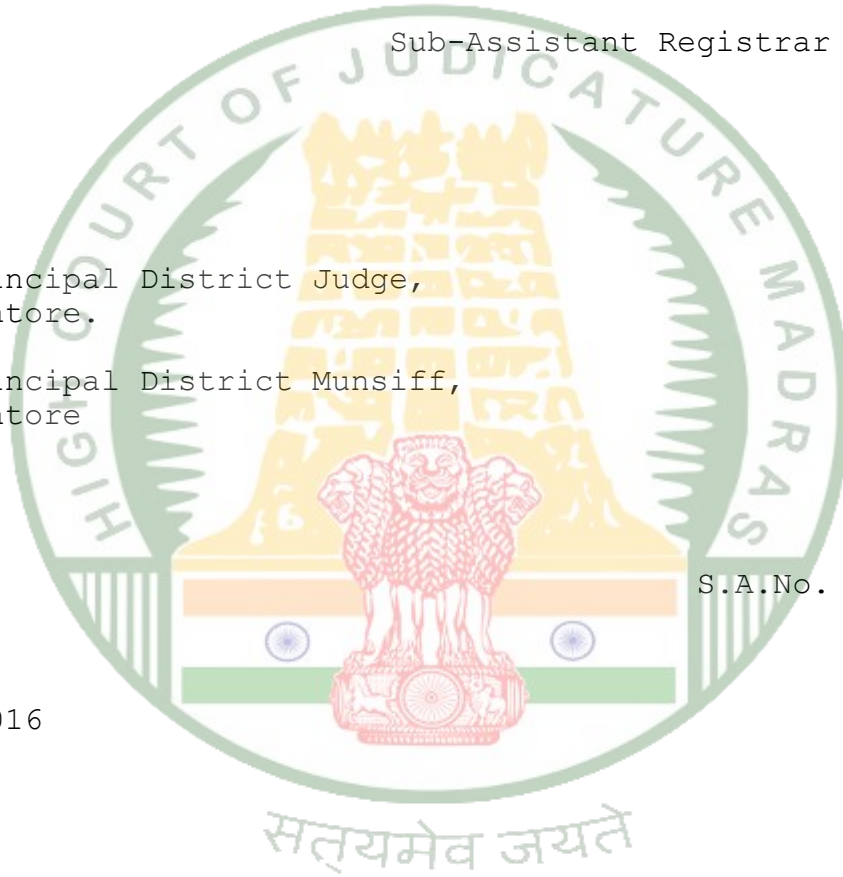
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To

1. The Principal District Judge,
Coimbatore.
2. The Principal District Munsiff,
Coimbatore

S.A.No. 264 of 1989

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