IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.11.2016

CORAM

THE HONOURABLE DR. JUSTICE G. JAYACHANDRAN

S.A.No. 1112 of 1995

Krishnamurthy ... Appellant

Vs.

1.Sitthi Ameena Ammal
2.Mohamed Zakriya Maraicayar
3.Omar Hathab Maricayar
4.Sabiya Ammal
5.Aysha Beevi Ammal ... Respondents

Prayer:- Second Appeal filed under Section 100 of Civil Procedure Code against the decree and judgment of the Learned District Judge of East Thanjavur at Nagapattinam passed in A.S.No.149 of 1991 dated 03.09.1992 confirming the decree and judgment of the Subordinate Judge, Nagapattinam passed in IA.No.543/85 in O.S.No.3 of 1981 dated 12.02.1991.

For Appellant : M.N.Pandian
For R1 : Ms.R.T.Shyamala
R2 : Died
For RR3 to 5 : No appearance

ORDER

This Second Appeal arises out of the decree and judgment dated 03.09.1992 passed in A.S.No.149 of 1991 by the Learned District Judge of East Thanjavur at Nagapattinam. This appeal is of the year 1995.

2. When the matter was listed on 31.03.2010, it was represented that the second respondent died. Since then no steps have been taken by the appellant to bring on record the legal heirs of the deceased second respondent.

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3. When the matter was called on 18.11.2016, there was no representation for the appellant. Hence, the matter was directed to be posted on 21.11.2016 "For Dismissal". Even on 21.11.2016, the learned counsel for the appellant appeared and sought for time. It appears that the appellant is not interested in prosecuting the matter further. Hence, the Second Appeal is dismissed for default. No Costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

rm
To
1. The Subordinate Judge, Nagapattinam.
2. The District Judge, Nagapattinam.

+1cc to M/s R.P.Shyamala, Advocate, S.R.No.67301

MV(CO)
BB(30/12/2016)

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