

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.09.2016

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Second Appeal No.55 of 1999
and
C.M.P.No.8486 of 1999

S.A.Ramaswami

... Appellant

-vs-

Kandaswami

... Respondent

Second Appeal filed under Section 100 of C.P.C. against the judgment and decree of the Learned Sub-Judge of Tiruppur, dated 29.10.1996 passed in A.s.No.41 of 1994 allowing the appeal, setting aside the Decree and Judgement of the Honourable District Munsif Court, Tiruppur passed in O.S.No.396/88, dated 31.12.1992

For Appellant	: Drafted Notice sent to sole Appellant, Returned unserved with an Endorsement "NO RESIDENCE"
For Respondent	: No appearance

J U D G M E N T

When this appeal was listed before this Court on 11.01.2012, it was represented by the learned counsel for the appellant that the appellant has

K.RAVICHANDRABAABU,J.

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taken the case papers long back and as such he had no instructions. Accordingly, this Court directs the Registry to issue notice to the appellant / defendant.

2. It is seen that the notice sent to the appellant was returned with an endorsement that the appellant is not residing in the address referred to in the appeal. It is seen that till this date the appellant has not engaged any new counsel to represent the present case. Today, when the matter is listed, there is no representation. Accordingly, this matter is dismissed for non-prosecution. Consequently, connected miscellaneous petition is closed.

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Index: Yes/No
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To

1. The Sub-Judge, Tiruppur.
2. The District Munsif Court, Tiruppur.

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