

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.11.2016

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Second Appeal No.489 of 2008

Minor Sarathi Represented by

Next Friend D.Sasikala,
W/o.K.P.Damodaran Pillai,
Residing at, Lakshmi Nagar,
Vaiyambadi Road,
Tirupattur Town.

... Appellant/Plaintiff

Vs

1.Rafeequnnisse
2.Md.Ghouse
3.D.Kannan
4.D.Hemavathi
5.K.P.Damodaran Pillai

... Respondents/Defendants

Prayer:- Second Appeal has been filed under Section 100 of C.P.C., against the judgment and decree passed by the Subordinate Court, Tirupattur dated 24.04.2006 in A.S.No.81 of 2005 confirming the judgment and decree passed by the District Munsif, Thirupathur dated 17.06.2005 in O.S.No.616 of 1998.

For Appellants : No Appearance

For RR1 & 2 : Mr.K.R.A.Muthukrishnan

For RR3 to 5 : No Appearance

JUDGMENT

When the matter was called on 22.11.2016, the learned counsel for the appellant submitted that the minor appellant attained majority and the second respondent herein died. In view of the above position, this Court directed the learned counsel to take steps. However, the learned counsel for the appellant reported no instruction despite notice sent by him to the appellant. Therefore, Registry was directed to print the name of the appellant and to post the matter on 29.11.2016.

2.Even today (29.11.2016) also, there is no representation on behalf of the appellant. It appears that the appellant is not interested in prosecuting the matter further. Accordingly, the Second Appeal is dismissed for non prosecution. There shall be no order as to costs.

Sd/-
Assistant Registrar(CS VI)

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Sub Assistant Registrar

jbm

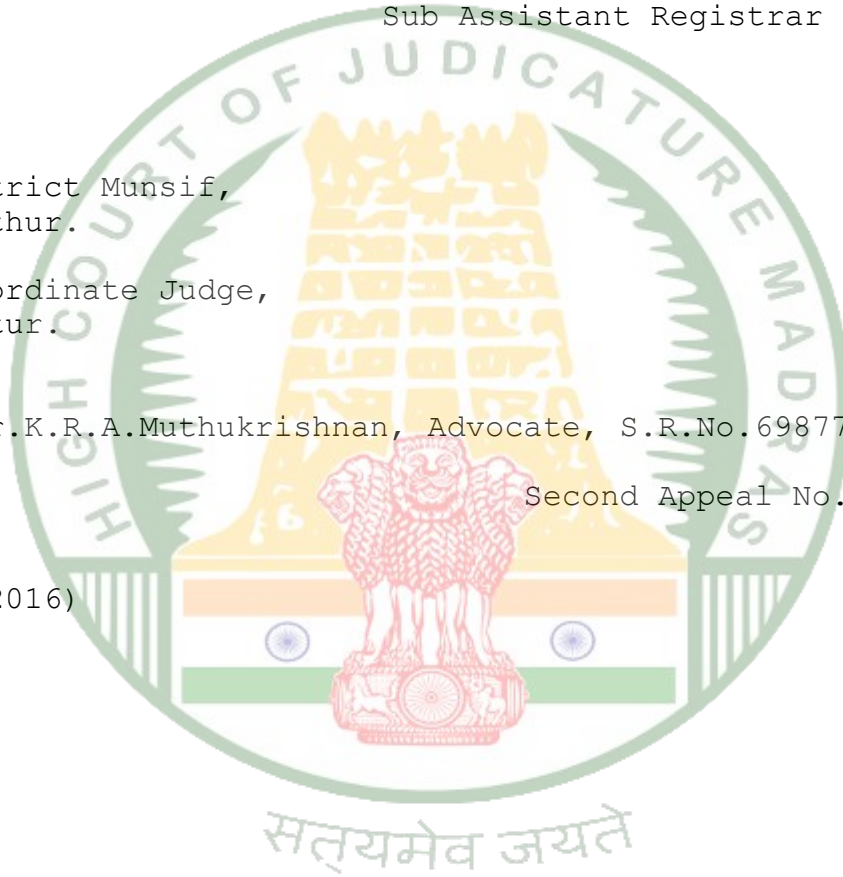
To

- 1.The District Munsif,
Thirupathur.
- 2.The Subordinate Judge,
Tirupattur.

+lcc to Mr.K.R.A.Muthukrishnan, Advocate, S.R.No.69877

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VD(CO)
CA(30/12/2016)



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