

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2017

CORAM

THE HONOURABLE MR.JUSTICE M.SUNDAR

S.A.No.1729 of 2000  
and  
CMP.16295 of 2000

Suseela .....Appellant

vs.

1.S.P.Ramachandran  
2.Nazir Bai  
3.Sampath  
4.Elumalai  
5.Kembu Chettiar  
6.Govindaraj  
7.Mariadoss

...Respondents

Prayer:- Second Appeal is filed under Section 100 of the Code of Civil Procedure against the decree and judgment dated 16.02.2000 rendered in A.S.No.81 of 1998 on the file of V Additional Judge, City Civil Court, Madras confirming the judgment and decree dated 06.11.1996 rendered in O.S.No.6367 of 1989 on the file of XII Assistant Judge, City Civil Court, Madras.

For Appellant : Ms.Nikitha. R.Vora  
for Mr.M. Ganeshan

For Respondents : Mr. K.P. Suresh Kumar  
for Mr.T.V.Krishnamachari

JUDGMENT

Ms.Nikitha R. Vora, learned counsel on behalf of Mr.M.Ganeshan, learned counsel on record for the sole appellant, is present.

2. Mr.K.P.Suresh Kumar, learned counsel on behalf of M/s.T.V.Krishnamachari, learned counsel on record for the first respondent, is present.

3. It is seen from the records that respondents 2 to 7 have already been given up. In the previous hearing (i.e., on 17.03.2017), learned counsel for the appellant stated that the client had not given instructions in the recent past and that communication sent to the client was returned 'unserved'.

4. Learned counsel for the appellant sought a week's time for making one more attempt to serve so that learned counsel for the appellant can report no instructions, if the same situation prevails.

5. Under the above said circumstances, learned counsel for the appellant, today(27.03.2017) filed a memo dated 27.03.2017 reporting 'no instructions'. To this memo, original of the envelope sent to the client returned "unserved" has been annexed. The memo together with the annexure is taken on record.

Second appeal is dismissed for default/non-prosecution. Consequently, connected CMP.No.16295 of 2000 is also dismissed for default/non-prosecution.

-s/d-  
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

- 1.The V Additional Judge, City Civil Court, Madras.
2. The XII Assistant Judge, City Civil Court, Madras.
3. The section Officer  
VR Section,  
High Court, Madras

+1 CC to M/s. T.V. Krishnamachari, Advocate sr 19165

S.A.No.1729 of 2000  
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CMP.16295 of 2000

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