

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 12.12.2018

Coram

The Hon'ble Mr. Justice C.V.KARTHIKEYAN

S.A.No.2084 of 2000

1. K.Mariappan
2. K.Balasubramanian
3. M.Kowsalya
4. B.Mallika
5. M.Preetha
6. P.Chockalingam
7. R.Chinnathambi
8. C.Singaravelu
9. K.Subbaiyan
10. B.Subbaiyan
11. S.Shylendri
12. R.Ambika
13. V.Vallipriya
14. C.Balamurugan
15. G.Senthil
16. K.Murali
17. A.Muthupalanathan
18. T.Vethaiyan

...Appellants/Plaintiffs

Vs

1. M.Latha
2. N.Sutharshan
3. V.Senthil
4. R.Packirisamy
5. K.Pattammal
6. N.Mariappan
7. N.Kathiravan
8. V.Venkatraj
9. P.Mohan
10. K.Saravanan

...Respondents

Prayer: The Second Appeal is filed under Section 100 of CPC, against the judgment and decree made in A.S.No.44 of 2000 on the file of Learned Principal District Judge, Nagapattinam dated 29.11.2000 reversing the judgment and decree passed in O.S.No.12 of 1998 on the file of the learned Principal Subordinate Judge, Nagapattinam dated 01.12.1999.

|                 |                       |
|-----------------|-----------------------|
| For Appellants  | : Mr.K.Chandrasekaran |
| For Respondents | : Mr.Srinath Sridevan |

## JUDGMENT

The plaintiffs in O.S.No.12 of 1998 on the file of the learned Principal Subordinate Court, Nagapattinam, are the appellants herein. The said suit had come up for consideration before the learned Principal Subordinate Judge, Nagapattinam on 01.12.1999. The suit was decreed. Thereafter, the defendants had filed A.S.No.44 of 2000 before the learned Principal District Court, Nagapattinam. By judgment dated 29.11.2000, the appeal was allowed.

2. The plaintiffs have now filed the present second appeal, the appeal had not yet been admitted. It had been pending for the past 18 years with no progress being made. Appellants are not interested in prosecuting the appeal.

3. A memo had been filed by the learned counsel for the appellants, stating that the entire papers had been handed over to the appellants and that there are no instructions to proceed with the case. Very unfortunately, the date of handed over the entire papers was not mentioned by the learned counsel for the appellants.

4. At any rate, the appellants must take sufficient interest in the appeal filed by them to ensure that there is representation before this Court. The second appeal is dismissed for non-prosecution.

Sd/-

Assistant Registrar(CS iv)

//True Copy//

Sub Assistant Registrar

smv

To

1. The Principal District Judge,  
Nagapattinam
2. The Principal Subordinate Judge,  
Nagapattinam.

S.A.No.2084 of 2000

A.SK(11/01/2019)