

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.01.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

C.M.S.A.No.3 of 1997
and C.M.P.No.971 of 1997

Balasubramani

... Appellant

Vs.

1. Muthayammal

2. Palaniappan.... Respondents

Prayer : Civil Miscellaneous Second Appeal filed under Order XXI Rule 58(4) of Civil Procedure Code, against the order and decree dated 18.07.1996 in C.M.A.No.4 of 1996 on the file of III Additional District Judge, Dharmapuri, reversing the order and decree dated 06.09.1994 in E.A.No.338 of 1993 in E.P.No.50 of 1993 on the file of the District Munsif Court, Krishnagiri.

For Appellant : No appearance

For 1st Respondent : Mr.N.E.A.Dinesh

J U D G M E N T
सत्यमेव जयते

When the matter was taken up for hearing on 03.11.2017, there was no representation on behalf of the appellant. Similarly, the matter was listed on 16.11.2017, neither the appellant nor the counsel was present. Again on 08.12.2017, when the matter was taken up for hearing, there was no representation for the appellant and the matter was directed to be listed on 03.01.2018. Even on 03.01.2018, there was no representation for the appellant and the Registry was directed to post this matter on 04.01.2018 under the caption "for dismissal".

2. When the matter is taken up today (04.01.2018) once

again, neither the counsel nor the appellant is present. Hence, this Civil Miscellaneous Second Appeal is dismissed for default. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

asi

To

1. The III Additional District Judge, Dharmapuri.
2. The District Munsif, Krishnagiri

Copy To
The Section Officer,
Record Keeper,
VR Section, High Court,
Madras-104

+1cc to Mr.N.E.A.Dinesh, Advocate, S.R.No.957

C.M.S.A.No.3 of 1997
and C.M.P.No.971 of 1997

NRJK (CO)
abr/03/02/18

सत्यमेव जयते

WEB COPY