

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 15-11-2018

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

Second Appeal No.1851 of 2003

And

C.M.P.No.13900 of 2003

Dhanabagiammal .. Appellant/1st Defendant

..Vs..

1.L.Sathya

2.Minor Premkumar

3.Minor Bagiaraj

4.Minor Priyanka

(R-2 to R-4 represented by next friend
and mother L.Sathya)

5.The Commissioner of Police,
Egmore, Chennai-600 008.

.. Respondents/Plaintiffs 1 to 4, 2nd Defendant

Second Appeal is preferred under Section 100 of the Code of Civil Procedure, against the partly allowed judgment and decree passed in A.S.No.270 of 2001 on the file of the VI Additional City Civil Court, Chennai dated 5.12.2002, confirming the judgment and decree passed in O.S.No.5476 of 1995 dated 30.4.2001 on the file of the IV Assistant City Civil Court, Chennai.

For Appellant : No Appearance

For Respondents-1to4 : Dismissed vide Court order
dated 3.4.2018.

For Respondent-5 : No Appearance

J U D G M E N T

The Second Appeal was listed for hearing on 13.11.2018. None appeared for the appellant. Thus, the case was directed to be listed on 14.11.2018 under the caption "For Dismissal".

2. When the matter is taken up for hearing on 14.11.2018, there is no representation on behalf of the appellant. In order to give one more opportunity to the

appellant, once again the case was directed to be listed on 15.11.2018 under the caption "For Dismissal". When the matter is taken up for hearing on 15.11.2018, there is no representation on behalf of the appellant. Thus, it is to be construed that the appellant is not interested in pursuing the matter.

3. Accordingly, the Second Appeal stands dismissed for non-prosecution. Consequently, connected miscellaneous petition is also dismissed. However, there shall be no order as to costs.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

Svn

To

1.VI Additional Judge, City Civil Court, Chennai.

2.IV Assistant Judge, City Civil Court, Chennai.

3.The Commissioner of Police,
Egmore, Chennai-600 008.

S.A.No.1851 of 2003

NMI (CO)
GMY (19/12/2018)

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