

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.02.2018

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

S.A.No.1879 of 1998

Jannath Kani

... Appellant/Plaintiff/Respondent

Vs.

1.Sheik Mohammed

2.Mahboob Beevi

3.Jamila Beevi

4.Nazir Mohammed

5.Abdul Samad

... Respondents/Defendants/Appellants

Prayer:

Second Appeal filed under Section 100 of C.P.C. against the judgment and decree dated 11.08.1998 made in A.S.No.31/98 (on the file of Principal Sub-Court, Mayiladuthurai) reversing the judgment and decree dated 28.01.1998 made in O.S.No.195/95 (on the file of the District Munsif Court, Sirkali).

For Appellant : Mr.S.Sounthar

For R1 : Died

For R2 :Mr.A.Muthukumar

For R3,R5 :Notice served - No appearance

For R4 :SS Affidavit Due

J U D G M E N T

The learned counsel for the appellant represented that inspite of the repeated reminders, the appellant has not given any instructions with regard to the case.

2. The learned counsel appearing for the respondent submitted that the respondents 1 & 2 have died. However, the appellant has not taken any steps to bring the legal representatives of the deceased respondents 1&2 on record.

3. In view of the above, this Court is of the opinion that the appellant is not interested to prosecute the case. Hence, the Second Appeal is dismissed for non-prosecution. No costs.

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

To

1.The Principal Subordinate Judge, Mayiladuthurai

2.The District Munsif, Sirkali

copy to

The Section Officer,
VR Section,
High Court, Madras.

+lcc to Mr.A.Muthukumar, Advocate sr.no.13532

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sj(co)
nr 14/03/2018



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