

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :23.02.2018

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

S.A.Nos.1433/1999 & 62/2001
and
CMP.Nos.15388/1999 & 1525 & 1526/2010

K. Settu Appellant in both S.As.

Vs.

1.Chinnasamy (Died)Respondent in both S.As.

2.Govindammal

3.ChinnammalRespondent in S.A.No.1433/1999

4.Subramani

5.Loganathan

6.MalligaRespondents in SA.No.62 of 2001

(Respondents 4 to 6 brought on record as
LR.s of the deceased sole respondent vide
order dt 21.09.2000 in CMP.No.13650/2000)

.....Respondent in S.A.No.62/2001

COMMON PRAYER:

The Second Appeal has been filed under Section 100 of C.P.C., to set aside the Judgment and Decree dated 05.07.1999 of the Principal District Judge, Vellore District, and made in A.S.Nos.71 & 85/1997 reversing the Judgment and Decree of the Principal District Munsif, Vellore dated 31.03.1997 and made in O.S.Nos.395 & 111/1996. सत्यमेव जयते

For Appellant : M/s.G. Jayachandran

For RR1 : Mr.T.R.Rajaraman

For RR2 & RR3 : second batta with petition due

C O M M O N J U D G M E N T

Learned counsel appearing for the appellant has already submitted that he has returned the case papers along with change of vakalat to the appellant. He has also filed a memo to that effect. Subsequently, notice was sent to the appellant which has been returned with an endorsement "no such person."

2. Today, when the matter is taken up for consideration, the appellant neither appeared in person nor engaged any other counsel to proceed the case. This shows the non-willingness attitude of the appellant in the case. Under these circumstances, considering the pendency of the appeal for a long period of 19 years, this court has left with no other option except to dismiss these appeals.

In the result, these second appeals are dismissed for non-prosecution. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

gv

To

1. The Principal District Judge,
Vellore District.
2. The Principal District Munsif,
Vellore.
3. The Section Officer,
VR Section, High Court,
Madras(2 Copies)

S.A.Nos.1433/1999 & 62/2001
and

CMP.Nos.15388/1999 & 1525 & 1526/2010

CNR(CO)
CS/02/04/18

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