

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.03.2018

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

S.A.No.281 of 1999

Helan J. Prasad

... Appellant/Plaintiff

Vs.

1. Official Trustee of Tamil Nadu,
High Court Campus,
Chennai - 600 104.

2. D.S.Shakkur ... Respondents/Defendant

Prayer:

Second Appeal is filed under Section 100 of C.P.C, against the judgment and decree dated 31.08.1998, made in A.S.No.129 of 1997, on the file of the II Additional District Court, Salem, confirming the Judgment and Decree dated 01.08.1997, made in O.S.No.130 of 1994, on the file of Additional Subordinate Judge's Court, Salem.

For Appellant : Mr.S.R.Raghunathan

For Respondents : No Appearance

J U D G M E N T

The learned counsel appearing for the appellant filed a Memo dated 05.03.2018, stating that the second appeal was preferred in the year 1999. At that time, the appellant was aged about 84. The learned counsel for the appellant attempted to contact the appellant for instructions. Accordingly, the learned counsel for the appellant sent a letter, dated 20.02.2018, calling upon the appellant to provide instructions to proceed further and the same was also returned as "unserved". Neither the appellant nor his legal heirs have come forward with proper instructions for conducting the case.

2. In view of the above submissions, the second appeal is dismissed for non-prosecution. No costs.

Sd/-
Assistant Registrar (Audit)

//True Copy//

Sub Assistant Registrar

msm

To

1.II Additional District Judge, Salem.

2.The Additional Subordinate Judge, Salem

Copy to:

Official Trustee of Tamil Nadu,
High Court Campus,
Chennai - 600 104.

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

+1cc to Mr.S.R.Rajagopal, Advocate, sr.16790

S.A.No.281 of 1999

MP (CO)
RMP (23/03/2018)

सत्यमेव जयते

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