

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.04.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAVINDRAN

S.A.No.1340 of 2004 and  
CMP.NO.10373 OF 2004 AND  
CMP.NO. 7558 OF 2018

1.Pappammal  
2.Mookkayee Ammal .. Appellants/Defendants 1 & 2

Vs.

1.Jayaraman  
2.Muthamizh Selvan ... Respondents 1 & 2 /Plaintiffs 2 & 3  
&  
3.Govindarasu Chettiar  
4.Vaithilingam  
5.Marudhamuthu .. Respondents 3 to 5/Defendants 3 to 5

Prayer : - Second Appeal has been filed under Section 100 of C.P.C against the judgment and decree dated 08.10.2003 made in A.S.No.157 of 1996 on the file of the Subordinate Judge, Ariyalur against the judgment and decree dated 23.12.1993 made in O.S.No.588 of 1992 on the file of the Additional District Munsif, Ariyalur.

For the appellants : No appearance  
For the respondents 1 & 2 : Mr.R.Valliappan  
For the respondents 3 & 5 : No appearance

JUDGMENT

Counsel for the respondents 1 and 2 present.

2. In this matter for the past two hearings, there was no representation for the appellants and appellants being called and remaining absent, Registry was directed to list the matter on 24.04.2018 under the caption " for dismissal."

3. Today also, when the matter is called, there is no representation for the appellants. Appellants called absent.

4. Resultantly, Second Appeal is dismissed for non prosecution with costs. Consequently connected miscellaneous petition if any, are closed.

MEMORANDUM OF COSTS

SA.1340 OF 2004

Respondents (1 & 2) Costs

|                                                                          |                 |
|--------------------------------------------------------------------------|-----------------|
|                                                                          | Rs. p           |
| Stamp for Vakalatnama                                                    | 10.00           |
| Advocate's fee [certificate not received]                                | FC not<br>filed |
| Batta and Postage                                                        |                 |
| Translation and Printing/Typing charges                                  | NIL             |
| To be paid by the Appellant/Petitioner()<br>to the Respondents 1 and 2() |                 |

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10.00  
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Sd/-  
Assistant Registrar(CCC)

//True copy//

Sub Assistant Registrar

To

- 1.The Subordinate Judge, Ariyalur.
- 2.The Additional District Munsif, Ariyalur.
- 3.The Section Officer,  
VR Section, High Court,  
Madras-104.

+lcc to Mr.P.Valliappan, Advocate SR.No. 30181

WEB COPY

S.A.No.1340 of 2004

KGK(CO)  
GN(29/06/2018)