

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:27.06.2018

CORAM:

THE HON'BLE MR.JUSTICE T.RAVINDRAN

S.A.No.2195 of 2004

1.Kumarasamy

2.Somasundaram

...Appellants /Defendant 3 & 4

Vs.

1.Palanisamy Gounder

2.Chellamuthu Gounder

3.Veerappa Gounder

[Respondents 2 and 3 were
set exparte in the lower
appellate court and hence
they are given up in this
Second Appeal]

...Respondents/Plaintiff and
Defendants 1 & 2

Prayer: Second Appeal filed under Section 100 of C.P.C.,
against the decree and judgment passed in A.S.No.19 of 2003
dated 11.02.2004 on the file of the Subordinate Judge,
Dharapuram, confirming the judgment and decree passed in
O.S.No.408 of 1999 dated 04.10.2002 on the file of the District
Munsif, Dharapuram.

For Appellants : No appearance

For Respondent : Mr.Navaneetha Krishnan
No.1 for M/s.S.Saravanan

J U D G M E N T

This matter was listed on 20.06.2018 and on that day, the
counsel for the first respondent was present and there was no
representation for the appellants and the appellants being
called and remaining absent, Registry was directed to list the
matter on 21.06.2018, under the caption " for dismissal ". On
21.06.2018, the counsel for the appellants was present and at
request, the Second Appeal was adjourned to 25.06.2018 for his
submissions finally. Again on 25.06.2018, at the request of the
appellants counsel, the Second Appeal had been adjourned today
i.e., on 27.06.2018, for arguments finally.

2. Today, when the matter is called, counsel for the first respondent present. There is no representation for the appellants. Appellants called absent.

3. In the light of the above position, it is evident that the appellants are not interested in prosecuting the Second Appeal.

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

MEMORANDUM OF COSTS

Respondent () Costs	Rs. P.
Stamp for Vakalatnama	10.00
Advocate's fee [FC not filed]	--
Translation and Printing/Typing charges	nil
To be paid by the Petitioner	-----
to the Respondent	-----

Sd/-
Assistant Registrar(CO)

//True Copy// सत्यमेव जयते

Sub Assistant Registrar

mfa

To

1.The Subordinate Judge,
Subordinate Court,
Dharapuram.

2.The District Munsif,
District Munsif Court,
Dharapuram.

Copy to

The Section Officer,
VR Section,
High Court,
Chennai. [2 Copies]

S.A.No.2195 of 2004

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srg 19/07/2018



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