



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.06.2018

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

S.A. (MD) No.395 of 2016

and

C.M.P. (MD) No.4327 of 2016

Aayira Vysya Kasukkara Chetty Pillaigal Sangam,
registered at Kalugumalai Kaspas,
through its Secretary
Kovilpatti Taluk

... 1st Defendant / 6th Respondent
/ Appellant

-Vs-

1.Kalugumalai Special Panchayath,
represented through its
Administrative Officer,
Kovilpatti Taluk,
Thoothukudi District. 2nd Defendant / Appellant
/ 1st Respondent

2.Muthulakshmi
3.Panneer Selvappandian
4.Muththamil Nirai Selvapandian
5.Ilango Pitchiahpandian ... Plaintiffs 2 to 4/Respondents 2 to 5
/ respondents 2 to 5

PRAYER: Second Appeal is filed under Section 100 of Civil Procedure Code, to set aside the judgment and decree passed in A.S.No.39 of 2005, dated 06.02.2006 on the file of the Sub-court, Kovilpatti modifying the judgment and decree passed in O.S.No.254 of 1992, dated 17.09.2004 on the file of the District Munsif Court, Kovilpatti.

For Appellant	:	No Appearance
For R1	:	Mrs.S.Srimathy
For R2	:	Mr.P.T.S.Narendravasan

JUDGMENT

When the matter came up for hearing on 25.10.2016, the learned Counsel for the appellant reports no instruction. Hence Registry was directed to issue notice to the appellant returnable by 21.11.2016 and notice was also issued to the appellant. Even though notice was served on the appellant long back, no one represented the appellant. The appellant's name is also printed in the cause list. In such



circumstances, this Court has no other option, but to dismiss this appeal for non-prosecution.

2.As a result, this second appeal is dismissed for non-prosecution. No Costs. Consequently, connected miscellaneous is closed.

Sd/-

Assistant Registrar (AS)

/True copy/

Sub Assistant Registrar

To

- 1.The Sub Judge, Kovilpatti.
- 2.The District Munsif, Kovilpatti.
- 3.The Administrative Officer,
Kalugumalai Special Panchayath,
Kovilpatti Taluk,
Thoothukudi District.
- 4.The Section Officer,
Vernacular Records,
Madurai Bench of Madras High Court,
Madurai.(2 Copies)

Judgment made in
S.A.(MD)No.395 of 2016
08.06.2018

cmr

RAM/SV MMS/SAR 4/21.06.2018/2P/6C