

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.07.2019

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

C.M.S.A.No.6 of 2001

Veerathal

... Appellant

-vs-

1. Lakshmi

2. Kaliappa Gounder

... Respondents

Memorandum of Grounds of Civil Miscellaneous Second Appeal filed under Order 21 Rule 103 read with Section 100 of C.P.C. against the order passed in CMA.No.17 of 1997 by the Sub-Court, Udumalpet dated 16.6.2000.

For Appellant :: Mr.S.Gunalan

For 1st Respondent :: Mrs.Hema Sampath,
Senior Counsel
for Mr.K.Karthikeyan

JUDGMENT

This Civil Miscellaneous Second Appeal has been directed against the order passed in CMA.No.17 of 1997 by the Sub-Court, Udumalpet dated 16.6.2000.

2. When the matter was called, Mr.S.Gunalan, learned Counsel for the appellant producing a copy of the letter dated 2.7.2019 addressed by him to the appellant stated that despite a letter sent to the appellant, there is no any response forthcoming from the appellant to conduct the appeal Therefore, requested this Court to dismiss the appeal as there is no response from the appellant. The said statement is recorded.

3. Further, a perusal of the Notes Paper would go to show that when the matter was taken up on the last occasion on 2.7.2019, this Court taking note of the fact that entire documents, which are essential, have not been filed, directed the learned Counsel for the appellant to produce a copy of the plaint, written statement and the judgment and decree of the

court below in O.S.No.435/1985 on the file of the learned District Munsif, Udumalpet. But the same were also not produced.

4. In view of all the above, since the appellant has not shown any interest in prosecuting the appeal and also the fact that the present appeal is pending for more than the recorded time of 18 long years, the present Civil Miscellaneous Second Appeal is dismissed for no instructions. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CS-VIII)

//True copy//

Sub Assistant Registrar

tsi

To

1. The Subordinate Judge, Sub-Court, Udumalpet.
 2. The Section Officer, V.R.Section, High Court, Madras.
- +1cc to Mr.S.Gunalan, Advocate SR.No.57564
+1cc to Mr.K.Karthikeyan, Advocate SR.No.57245

C.M.S.A.No.6 of 2001

VSN II (CO)
GMY (19/08/2019)

सत्यमेव जयते

WEB COPY