

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.11.2019

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

S.A. No.1005 of 2008

and

M.P. No.1 of 2008

1. R. Kalyanasundaram
2. R. Ramakrishnan
3. Muthulakshmi ... Appellants/Defendants 1, 3 & 10

1. B. Kothandapani
2. B.Chandran ... R1 & R2/Plaintiffs 1 & 2
3. Saraswathi
4. Gnanambal
5. B.Gajendran
6. S. Sampathraj
7. Sathish Shankar
8. Shanmuga Devi
9. Saraswathi
10. Punithavelu
11. Sacrates
12. Kalai Selvi Respondents /Other Defendants

Second Appeal filed under Section 100 of the Code of Civil Procedure as against the Judgment and decree of the III Fast Track Court (Additional District & Sessions Judge) at Chennai made in A.S. No.636 of 2005, dated 31.07.2007 confirming the judgment and decree of the 17th Assistant Judge, City Civil Court at Chennai made in O.S. No.7437 of 1994, dated 20.06.2005.

For appellants : Mr.S.Rajendrakumar

For respondents : Mr.P.Seshadri R 1 & 2
RR3 to 12 - Exparte

JUDGMENT

The matter is listed under the caption "for dismissal", today. The learned counsel for the appellants reports no instructions in this matter. The Second Appeal is of the year 2008. However, the learned counsel for the respondents also submits that the 2nd respondent died long time back. Till

date, steps have not been taken by the appellant to bring on record the Legal Representatives for the deceased 2nd respondent. Therefore, it can now be inferred that the appellants are not interested to prosecute the Second Appeal. Accordingly, the Second Appeal is dismissed for non prosecution. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

vsi2

To

1. The Additional District and Sessions Judge,
III Fast Track Court
Chennai.
2. The 17th Assistant Judge,
City Civil Court at Chennai

Copy To

The Section Officer,
V.R. Section, High Court,
Madras.

S.A. No.1005 of 2008

PA (CO)
GN (11/12/2019)

WEB COPY