

IN THE HIGH COURT OF JUDICATURE AT MADRAS  
DATED : 08.11.2019  
CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

S.A. No.1029 of 2008  
and  
MP No.1 of 2008

1. Rajam
2. Sekar
3. Minor Inba
4. Minor Inyan

(Minors 3 and 4 are represented  
by their father and next friend  
2<sup>nd</sup> appellant) .....Appellants/Defendants

versus

- 1.Usharani
2. Idhaya
3. Minor Emayavaramban

(Minor 3 respondent is rep.  
By his mother and guardian 1<sup>st</sup> respondent)  
... Respondents/Plaintiffs

Second Appeal filed under Section 100 CPC against the judgment and decree made in A.S.No.41 of 2005 on the file of the District Judge, Nagapattinam, dated 31.03.2008 modifying the Judgment and Decree made in O.S. No.131 of 2003 on the file of Subordinate Judge, Thiruvarur, dated 25.04.2005.

For Appellants : Mr.B.Ramamoorthy  
For Respondents : Mr.S.Sounthar  
for R1 to R3

JUDGMENT

The matter is listed under the caption "for dismissal", today. The learned counsel for the appellants submits that he has already sent a letter to the appellant seeking instructions in this matter and that he has not received any reply from the appellants. 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/-  
Asst.Registrar (CS I)

/true copy/

Sub Asst. Registrar

vsi2

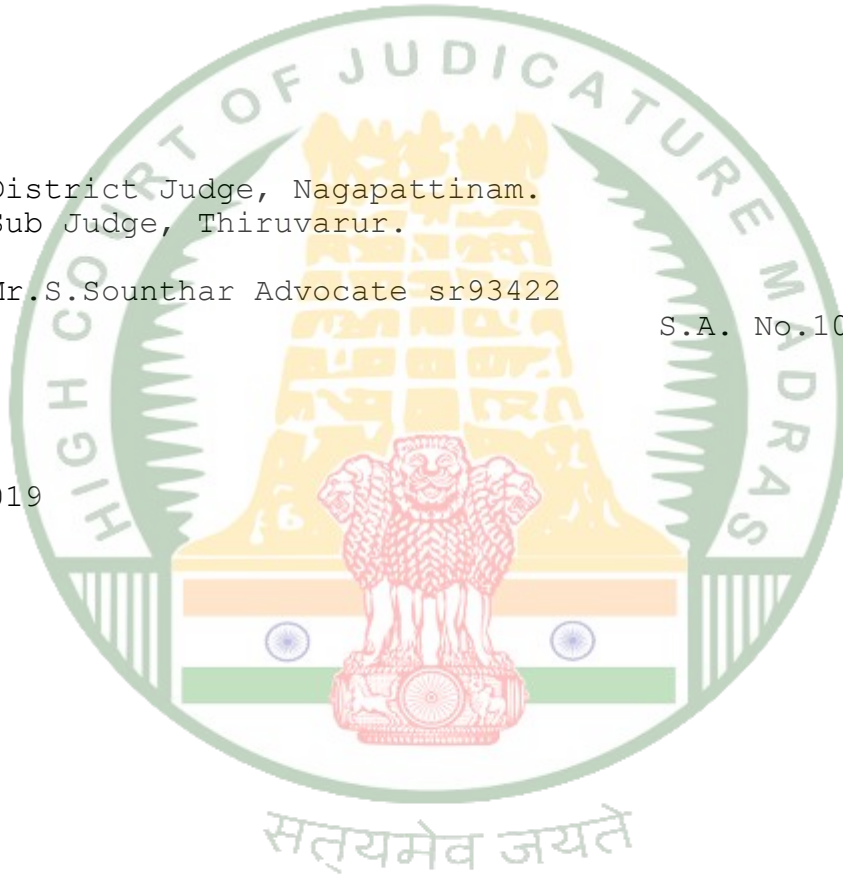
To

1. The District Judge, Nagapattinam.
2. The Sub Judge, Thiruvarur.

+1 cc to Mr.S.Sounthar Advocate sr93422

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aa11/12/2019



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