

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.11.2019

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

S.A. No.1558 of 2008

and

MP No.1 of 2008

1. Zulaika Bi Sahiba (Deceased)  
2. Yusuf Ali  
3. Jamal  
4. Mohammed Ghouse  
5. Abdul Khader  
\* Appellants 4 and 5 brought on  
record as Legal Representatives of  
the deceased 1st Appellant vide  
Order of Court, dated 10.01.2011  
made in M.P. No.1 of 2010. ... Appellants/Defendants

Vs

1. N.M.Dharmalingam ... 1<sup>st</sup> Respondent/Plaintiff  
2. The Commissioner,  
Corporation of Chennai,  
Rippon Buildings,  
Chennai - 600 003. ... 2<sup>nd</sup> Respondent/5<sup>th</sup> Defendant

Second Appeal filed under Section 100 of the Code of Civil Procedure against the decree and judgment dated 28.09.2007 in A.S. No.589 of 2005 on the file of the Principal Judge, City Civil Court at Chennai reversing the decree and judgment dated 07.10.2004 in O.S. No.7949 of 1998 on the file of the XIII Assistant Judge, City Civil Court at Chennai.

For appellants : No appearance

For respondents : Mr.N.K. Suresh Kumar for R1  
- No appearance  
Mr.A. Nagarajan for R2

JUDGMENT

The matter is listed under the caption "for dismissal", today. Even on the last two occasions i.e. on 31.10.2019 and 20.11.2019, there was no representation on the side of the appellants. Today, there is no representation on the side of

the appellants. However, the learned counsel for the second respondent is present. 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 Principal Judge,  
City Civil Court  
Chennai.
2. The XIII Assistant Judge,  
City Civil Court,  
Chennai.
3. The Section Officer,  
VR Section, High Court, Madras-104.

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srg 06/01/2020

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