

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.03.2019

C O R A M

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

S.A.No.469 of 2008
and M.P.No.1 of 2008

1. S.Rajalakshmi
2. Ramesh
3. Ganesh
4. Shanthi
5. Maheswari
6. T.Sivaraman

.... Appellants

Vs.

T.Sivagurunathan

... Respondent

PRAYER: Second Appeal has been filed under Section 100 of Civil Procedure Code, against the judgment and decree dated 31.10.2007 made in A.S.No.43 of 2006 on the file of the District court at Nagapattinam reversing the judgment and decree dated 29.03.2006 made in O.S.No.89 of 2005 on the file of the Principal Sub Court, Mayiladuthurai.

For Appellants : No appearance
(Party's name printed)

For Respondent : Mr.S.Sounthar

J U D G M E N T

The second appeal has been filed against the judgment and decree dated 31.10.2007 made in A.S.No.43 of 2006 on the file of the District court at Nagapattinam reversing the judgment and decree dated 29.03.2006 made in O.S.No.89 of 2005 on the file of the Principal Sub Court, Mayiladuthurai.

2. When the matter is taken up for hearing today (22.03.2019), there is no representation on behalf of the appellants.

3. On 08.02.2019, the matter has been argued, thereafter, the learned counsel appearing for the appellants took time for reporting settlement. When the matter came before this Court on 15.02.2019, the counsel appearing for the

appellants submitted that he has given the change of vakalat, on that day, the appellant is also present in person. Thereafter, this Court has directed the Registry to print the name of the appellants in the cause list, despite which, there is no appearance for the appellants today (22.03.2019). The same indicates that the appellants have no interest in prosecuting this second appeal.

4. Since the matter pertains to the year 2008 and there is no representation on behalf of the appellants, this Court is of the view that there is no purpose in keeping the second appeal. Accordingly, this second appeal is dismissed for default. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-VI)

//True copy//

Sub Assistant Registrar

msv

To

1. The District court,
Nagapattinam.

2. The Principal Sub Court,
Mayiladuthurai.

+1cc to Mr.S.Sounthar, Advocate SR.No.27505

S.A.No.469 of 2008
and M.P.No.1 of 2008

SPD (CO)
GMY (29/04/2019)

सत्यमेव जयते

WEB COPY