



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 07.01.2019

Coram:

The Honourable Dr.Justice G.JAYACHANDRAN

Second Appeal No.566 of 2004
and CMP.4757/04

Venkatachalam,
S/o.Gopal Naicker,
Kattukottai, Navalur,
Attur Taluk,
Salem District. ... Appellant/Defendant

Vs.

Alangaram,
W/o.Mariadoss,
Kattukottai,
Attur Taluk,
Salem District. ... Respondent/Plaintiff

PRAYER: This Second Appeal has been filed under Section 100 of Civil Procedure Code, against the judgment dated 19.03.2002 in A.S.No.67 of 1997 on the file of the Subordinate Court, Attur reversing the judgment and decree dated 12.10.1993 in O.S.No.241 of 1996 on the file of the District Munsif Court, Attur.

For Appellant : No appearance

For Respondent : No appearance

J U D G M E N T

Perusal of the previous proceedings recording by this Court indicates that the learned counsel for the appellant has reported "No Instruction" whereas, the learned counsel for the respondent has reported that the matter has been settled between the parties. On 29.01.2014 to ensure the submissions of the respective counsel, this Court has directed the Registry to sent notice to the appellant. The postal cover sent to the appellant has returned with endorsement that the appellant is not interested in receiving the notice. Hence, the Court notice returned unserved.

2. In the light of the above fact, this Court is of the view that there is no purpose in keeping the appeal pending on file. Accordingly, the Second Appeal is dismissed for default. No costs. Connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS iii)

//True Copy//

Sub Assistant Registrar

bsm

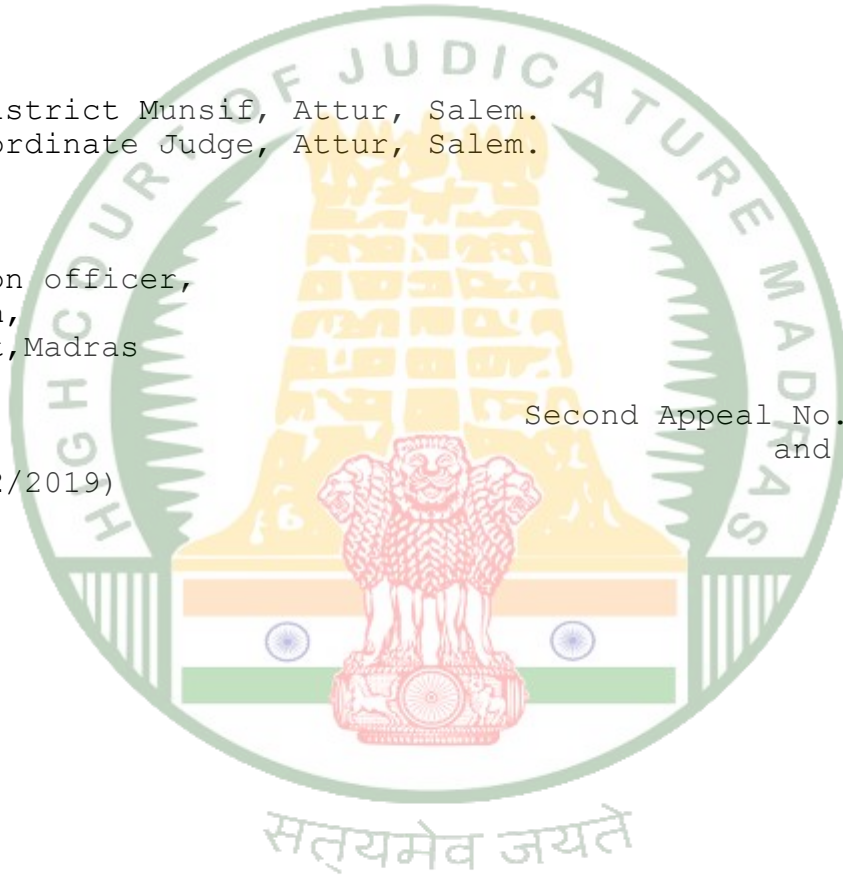
To,

1. The District Munsif, Attur, Salem.
2. The Subordinate Judge, Attur, Salem.

Copy to
The section officer,
VR Section,
High court, Madras

Second Appeal No.566 of 2004
and CMP.4757/04

A.SK(04/02/2019)



WEB COPY