

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.02.2019

CORAM

THE HONOURABLE MR. JUSTICE T.RAVINDRAN

S.A.No.1337 of 2005

1.Chenniyappan
2. Gopalakrishnan

... Appellants /
Respondents 1 and 2/
Defendants 1 and 2

Vs.

1.Sengodan
2.Rajkumar

... Respondents 1 and 2/
Appellants /
Plaintiffs

3.Assistant Engineer (O&M)
TNEB, Kanjikoil
Perundurai Taluk 638 116

... 3rd Respondent /
3rd Respondent /
3rd Respondent.

Prayer:

Second Appeal filed under Section 100 of Civil Procedure Code, against the judgment and decree dated 16.08.2004 made in A.S.No.166 of 2003 on the file of the Principal District Judge of Erode District at Erode, reversing the judgment and decree dated 09.09.2003 made in O.S.No.734 of 2002 on the file of the Principal Additional Subordinate Judge, Erode.

For Appellants : No appearance.

For Respondents : Mr.V.P.Sengottuvel for R1 & R2.
No appearance for R3.

JUDGMENT

This matter was listed on 19.02.2019 and the appellants being called and remaining absent, following the memo filed by the counsel for the appellants that the appellants had not responded to the notice sent by her, accordingly, the registry was directed to list the matter on 20.02.2019 under the caption "for dismissal" by printing the name of the appellants in the cause list.

2. Today, when the matter is called, there is no representation for the appellants. Appellants called. Absent. Counsel for R1 and R2 present.

3. In view of the above position, the Second Appeal is dismissed for non prosecution with costs. Consequently, connected miscellaneous petition, if any, is closed.

MEMORANDUM OF COSTS

SA.No.1337 of 2005

Respondents () Costs

	Rs. P.
Stamp for Vakalatnama ..	10.00
Advocate's Fee on Rupees (F.C not received)	Nil
Translation and Printing /	Nil
Typing Charges ...	
To be paid by the Petitioner	10.00

Sd/-
Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

bga

1. The Principal District Court, Erode District at Erode,

2.The Principal Additional Subordinate court, Erode.

copy to: The Section Officer,
VR Section, High Court, Madras.

+1 cc to Mr.V.P.Senguttuvel, Advocate, S.R.No.15823

SSD(CO)
SSM(27/06/2019)

S.A.No.1337 of 2005