

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.01.2019

Coram

THE HONOURABLE MR. JUSTICE M.V.MURALIDARAN

C.M.S.A.No.23 of 2014

R.Panneerselvam

... Appellant/Plaintiff

Versus

1. Jayanthi
Yasodhaammal (died)

3 Padmavathy, W/o Vasudevan

3. Kasturi

4. Govindan Nair

5. T.C.Chinnikrishnan

6. R.Sampath

7. Kasturiammal

8. Sarojini

9. Mehab Bee

10. Mallayyan

Kandasamy (Died)

11. Vijayaragavan

12. Rajaraman

13. Arjunan

14. Indirani Ammal

15. Padmavathy,

W/o Rangayya Naidu

... Respondents/Defendants

Prayer : The Civil Miscellaneous Second Appeal is filed under Section 100 r/w Order XLVIII Rule 1 of Code of Civil Procedure, against the Decree and Judgment dated 18.09.2013 made in C.M.A.No.41 of 2013 on the file of the learned Subordinate Judge at Poonamallee confirming the Judgment and Decree dated 04.03.2013 in E.A.No.48 of 2013 in E.P.No.60 of 2006 in O.S.No.1314 of 1984 on the file of the learned Principal District Munsif, Poonamallee.

For Appellant : No appearance

For Respondents : Mr.K.Mohanamurali

JUDGMENT

The Civil Miscellaneous Second Appeal has been filed against the Decree and Judgment dated 18.09.2013 made in C.M.A.No.41 of 2013 on the file of the learned Subordinate Judge at Poonamallee.

2. Today when the matter is taken up for hearing, there is no representation on behalf of the appellant. The learned counsel for the respondents would submit that the connected Civil Miscellaneous Second Appeals in C.M.S.A.Nos.22 and 38 of 2014 and C.M.S.A.No.1 of 2015 were dismissed for non prosecution on 11.01.2019.

3. This second appeal is filed in the year of 2014. Despite the matter is pending for more than 4 years, the appellant has not taken any steps to proceed with the case. Even today, there is no representation on behalf of the appellant. Therefore, it is made clear that the appellant is not interested to proceed with the case.

4. In the result, this Civil Miscellaneous Second appeal is dismissed for non prosecution. No costs.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

vum

To

1. The Subordinate Judge,
Poonamallee.

2. The Principal District Munsif,
Poonamallee.

3. The Section Officer,
V.R.Section, High Court, Madras. (2 Copies)

+1 cc to Mr.K.Mohanamurali, Advocate Sr.No.3576

C.M.S.A.No.23 of 2014

KK(CO)
CSL/07.03.2019