

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 11.01.2019

Coram

THE HONOURABLE MR. JUSTICE M.V.MURALIDARAN

C.M.S.A.No.38 of 2014

Venkatarathinam

... Appellant

versus

1. Mrs. D. Prema
Yasodhammal (died)
2. Padmavathy
3. Kasturi
4. Govindan Nair
5.C. Chinnikrishnan
6.K. Sampath
7.Kasthuri
8.Sarojini
9.Mehab Bee
10.Mallayyan
11.Kandasamy (died)
12.Vijayaraghavan
13.Rajaraman
14.Arjunan
15.Indiraammal
16.Padmavathy

... Respondents

Prayer : The Civil Miscellaneous Second Appeal is filed to set aside the Decree and Judgment dated 18.09.2013 passed in CMA No.22 of 2013 on the file of Hon'ble Subordinate Judge at Poonamallee setting aside the Judgment and decree dated 04.03.2013 in E.A.No. 58 of 2013 in E.P.No.62 of 2009 in O.S.No.1312 of 1984 on the file of Principal District Munsif, Poonamallee.

For Appellant : (No Appearance)

For Respondents: Mr. K. Mohana Murali

J U D G M E N T

This Civil Miscellaneous Second Appeal is filed to set aside the Decree and Judgment dated 18.09.2013 passed in CMA No.22 of 2013 on the file of the Subordinate Judge at Poonamallee setting aside the Judgment and decree dated 04.03.2013 in E.A.No. 58 of 2013 in E.P.No.62 of 2009 of O.S.No.1312 of 1984 on the file of Principal District Munsif, Poonamallee.

2.When the matter was called on 07.12.2018 there was no representation for the appellant hence, the Registry was directed to list the matter on 20.12.2018. When the matter was listed on 20.12.2018, there was no representation for the appellant and the respondents hence, the matter was adjourned to 10.01.2019. On 10.01.2019 also there was no representation for the appellant and the learned counsel for the respondent is present and the matter was adjourned to 11.01.2019 under the caption "for Dismissal". Even today(i.e) on 11.01.2019 when the matter was called there was no representation for the appellant therefore, this Civil Miscellaneous Second Appeal is dismissed for non prosecution. No costs.

Sd/-

Assistant Registrar(CS vi)

//True Copy//

Sub Assistant Registrar

smn
To.

1. The Subordinate Judge, Poonamallee
- 2.The Principal District Munsif, Poonamallee.

+1cc to Mr.K. Mohana Murali , Advocate SR.No. 3087

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A.SK(14/03/2019)

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