

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 07.01.2019

CORAM:

THE HON'BLE MR.JUSTICE KRISHNAN RAMASAMY

S.A.No.134 of 2014

and

M.P.No.1 of 2014

Lakshmi Prabu

... Appellant

Versus

1. S.K.Shahul Hameed
2. Jeeyavudeen
3. Kamarudeen
4. Tajdeen
5. Mappillai Meeran

... Respondents

Prayer: Second Appeal is filed under Section 100 of the Civil Procedure Code against the Decree and Judgment passed on 29.10.2013 in A.S.No.26 of 2011 by the Principal Sub Court, Villupuram, which confirming the Decree and Judgment passed on 21.12.2009 in O.S.No.507 of 2009 by the Principal District Munsif Court, Villupuram.

For Appellant : Mr.M.Krishnamurthy

For Respondents : Mr.V.Janarthanan

J U D G M E N T

When this Second Appeal was taken up for hearing on 13.12.2018, none appeared on behalf of the appellant. Hence, the Registry was directed to list the matter under the caption "for dismissal" on 18.12.2018. Accordingly, the matter was listed on 18.12.2018, on which date, the learned counsel for the appellant appeared and sought time for filing a memo and hence, the matter was directed to be posted on 07.01.2019, i.e. today.

2. Today, the learned counsel appearing for the appellant filed a memo. On perusal of the memo, it is seen that the counsel has sent a letter dated 19.12.2018 seeking appropriate instructions from his client and it appears that the client has not responded to the same. Therefore, the learned counsel reported as "No Instructions" and the proof for sending the letters through RPAD is also filed and the same is taken on record.

3. Therefore, the Second Appeal is dismissed for non prosecution with the liberty to seek for restoration of the same, if so advised. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

ssi/msvm

To

1.The Principal Sub-Court,
Villupuram.

2.The Principal District Munsif Court,
Villupuram.

3.The Section Officer,
V.R.Section, High Court,
Chennai - 104.

+1cc to Mr. V.Janarthanan, Advocate, S.R.No.1667

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RR(CO)

rrs 18/02/2019

सत्यमेव जयते
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