



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 21.08.2019

CORAM

THE HONOURABLE MRS.JUSTICE R.THARANI

S.A.(MD)No.632 of 2009

and

M.P.(MD)No.1 of 2011

Marikar Motors Limited, rep. By its,
Managing Director,
Zulfiqur Marikar,
Nagercoil.

... Defendant/Appellant/Appellant

Vs.

1.Mohan Solomon ... 1st Plaintiff/1st Respondent/1st Respondent
2.Chandran Solomon ... 2nd Plaintiff/2nd Respondent/2nd Respondent

Prayer : This Second Appeal filed under Section 100 of Civil Procedure Code, to set aside the Judgment and Decree dated 22.10.2008 made in A.S.No.69 of 2005 on the file of the learned II Additional Sub Judge, Nagercoil, Kanyakumari District confirming the Judgment and Decree dated 16.08.2004 made in O.S.No.666 of 1983 on the file of the learned I Additional District Munsif, Nagercoil.

For Appellant : No Appearance
For Respondents 1 and 2 : Mr.V.Raghavachari

JUDGMENT

When the matter was called upon on 04.06.2019, there was no representation on the side of the appellant. Subsequently on 11.06.2019, 18.06.2019 and 27.06.2019, the learned counsel for the appellant is not ready for arguments. On 18.07.2019, the learned counsel for the appellant narrated two to three lines as an argument and prayed time for continuation of arguments. On 23.07.2017, the learned counsel for the appellant is not ready for continuation of arguments. On 31.07.2019, 06.08.2019 and 08.08.2019, there is no representation of the appellant. On 08.08.2019, the case was posted for continuation of arguments or for orders. Today on 21.08.2019, there is no representation on the side of the appellant. In all the above stated dates, the learned counsel for the respondent is ready for arguments. The appeal is pending from the year 2009. In the above circumstances, there is no use in keeping the case pending any further. This second appeal is dismissed for non prosecution. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

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To

1. The II Additional Sub Judge,
Nagercoil
2. The I Additional District Munsif,
Nagercoil.
3. The Section Officer,
V.R. Section, (2 COPIES)
Madurai Bench of Madras High Court,
Madurai.

S.A. (MD) No. 632 of 2009
21.08.2019

MRN

MK (30.08.2019) 2P 4C