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S.A(MD)Nos.916 of 2011 and 282 of 2014

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 21.11.2019
CORAM :

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

S.A(MD)Nos.916 of 2011 and 282 of 2014
and
M.P(MD)No.1 of 2011

1)Maria John Patros
2)Maria Alexander ... Appellants in both appeals
vs.

1)Maria Josphine
2)John Mary
3)Kurusu Antony [Died]
4)Mary Vasantha
5)Jessy Flora
6)George Edwin ... Respondents in both appeals
(R6 is brought on record as LR of deceased R3 vide order dated 3.10.19 in CMP.Nos.7114 and 7115 of 18)

Appeals filed under Section 100 of the Civil Procedure Code, against the judgment and decree dated 31.01.2011 passed by the learned Principal Subordinate Judge, Nagercoil, in A.S.Nos.10 and 14/2010 in confirming the judgment and decree of I Additional District Munsif, Nagercoil, dated 17.12.2009 in O.S.No.232/2005.

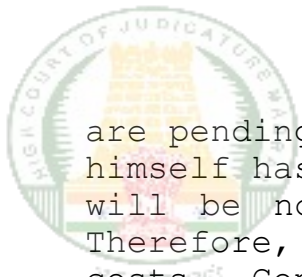
For Appellants	: Mr.S.Prakash for Mr.S.Ramesh
For R1 & R2	: Mr.R.Murugan
For R4	: Mr.S.Yasar Arafath
For R5 & R6	: No Appearance

COMMON JUDGMENT

These appeals have been filed against the judgment and decree dated 31.01.2011 passed by the learned Principal Subordinate Judge, Nagercoil, in A.S.Nos.10 and 14/2010 confirming the judgment and decree of I Additional District Munsif, Nagercoil, dated 17.12.2009 in O.S.No.232/2005.

2.Today, when the matter is taken up for hearing, learned counsel for the appellants would submit that though he tried to contact the parties, he is not able to contact the parties and reported no instructions.

3.Record of proceedings shows that on three occasions, the matter has been adjourned at the request of the learned counsel for the appellants and today, the learned counsel reports no instructions. The suit is of the year 2005 and the second appeals



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are pending from 2011. Since the learned counsel for the appellants himself has stated that he is not able to contact the parties, there will be no useful purpose in sending notices to the appellants. Therefore, the second appeals are dismissed for non prosecution. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Records)

// True Copy //

Sub Assistant Registrar(CS)

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To

1)The Principal Subordinate Judge,
Nagercoil.

2)The I Additional District Munsif,
Nagercoil.

Copy to: The Record Keeper, V.R.Section, (2 copies)
Madurai Bench of Madras High Court, Madurai

+2 CC to M/s.V.RAGHAVACHARI, Advocate (SR-100699 & 10700)
+1 CC to M/s.S. YASAR ARAFATH, Advocate (SR-100211[F]
+2 CC to M/s.R.MURUGAN, Advocate (SR-100409 & 100410
+1cc to T.Lajapathi Roy, Advocate, Sr.No.100644/19

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SMA/30/12/19/2P/11C