IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.03.2020

CORAM :

The HON'BLE MR.JUSTICE M.DURAISWAMY

C.M.S.A.Nos.48 & 49 of 2012

Palaniappan ...Appellant in both
C.M.S.A./Petitioner

Vs.

1.Valli
2.Ravi
...Respondents in
C.M.S.A.No.48/2012/Respondents

1.Ravi
2.Valli
(R2 in given up before the Appellate Court)

...Respondents in
C.M.S.A.No.49/2012/Respondents

Appeals filed under Section 75 of the Provincial Insolvency Act read with Order 43 Rule 1 and Section 104 read with Section 100 of the Code of Civil Procedure against the reversal judgment in C.M.A.Nos.9 & 10 of 2009 pronounced by the Additional District Judge, FTC-1, Salem on 20.11.2009 by setting aside the judgment pronouncement in IP.No.4 of 2005 by the Subordinate Judge, Sankari on 12.12.2008.

Appellant : Palaniappan(in both appeals)(Party in Person)
No appearance

For Respondents : Mr.T.P.Prabakaran (R1)(C.M.S.A.No.48/2012)
Mr.R.Ezhilarasan (R1) (C.M.S.A.No.49/2012)
R2 - given up in both C.M.S.A

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C O M M O N O R D E R

When the matter was listed for hearing on 08.08.2019, the learned counsel appearing for the appellant made a representation that he has given change of vakalat and handed over the papers to the appellant for engaging some other counsel, but none had filed change of vakalat on behalf of the appellant. Hence, this Court appointed a Amicus Curiae. However, when the matter was taken up for hearing on 10.03.2020, neither the appellant nor the Amicus Curiae was present, therefore, the Amicus Curiae was discharged. Since, there was no representation, the Registry was directed to list the matter under the caption for dismissal on 12.03.2020, printing the name of the appellant. Though the matter was listed under the caption "for dismissal", today none appeared for the appellant. Hence, this Court has no other option except to dismiss the Civil Miscellaneous Second Appeals for non-prosecution. Accordingly, the Civil Miscellaneous Second Appeals are dismissed for non-prosecution. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

va

To

1.The Additional District Judge,
FTC-1,
Salem.

2.The Subordinate Judge,
Sankari

C.M.S.A.Nos.48&49 of 2012

rsi[co]
srg 16/07/2020

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