



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 04.06.2020

Coram::

The Honourable Mr.Justice R.SUBRAMANIAM

S.A.No.361 of 2012
& M.P.No.1 of 2012

K.Boloram,
S/o.Kanaram,
Plot No.2, Old No.51,
9th Street, Lakshmi Nagar,
Porur,
Chennai - 600 116. Appellant

/versus/

V.Ramalingam,
S/o.Vinayaga Mudaliar,
No.2, Chetty Street,
Porur, Chennai - 600 116. Respondent

Prayer: Second Appeal is filed under Section 100 of C.P.C and memorandum of appeal grounds submitted under Order XLII Rule 1 of C.P.C read with order XLI Rule 1 of C.P.C, against the judgment and decree of the Sub Court, Poonamallee in A.S.No.13 of 2011, dated 25.11.2011 and set aside the judgment and decree in O.S.No.186 of 2007 dated 15.04.2010 on the file of the Additional District Munsif, Poonamallee and dismiss the said O.S.No.186 of 2007.

For Appellant : No appearance

For Respondent : Mr.A.Palaniappan

J U D G M E N T

Heard Mr.A.Palaniappan, Learned Counsel for the Respondent.

2. The Learned Counsel for the Appellant had reported no instruction on 20.12.2013. This Court ordered notice returnable by 06.01.2014. Notices have been despatched on 20.12.2013 & 20.01.2014. The endorsement by the Registry shows that notice has not yet been returned either served or unserved.

3. Mr.A.Palaniappan, the Learned Counsel for the respondent would submit that the appeal itself has become infructuous. The appellant has handed over the possession of the property before eight years. In view of the said submission,

the Second Appeal is dismissed for non-prosecution. No costs.
Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

bsm

To,

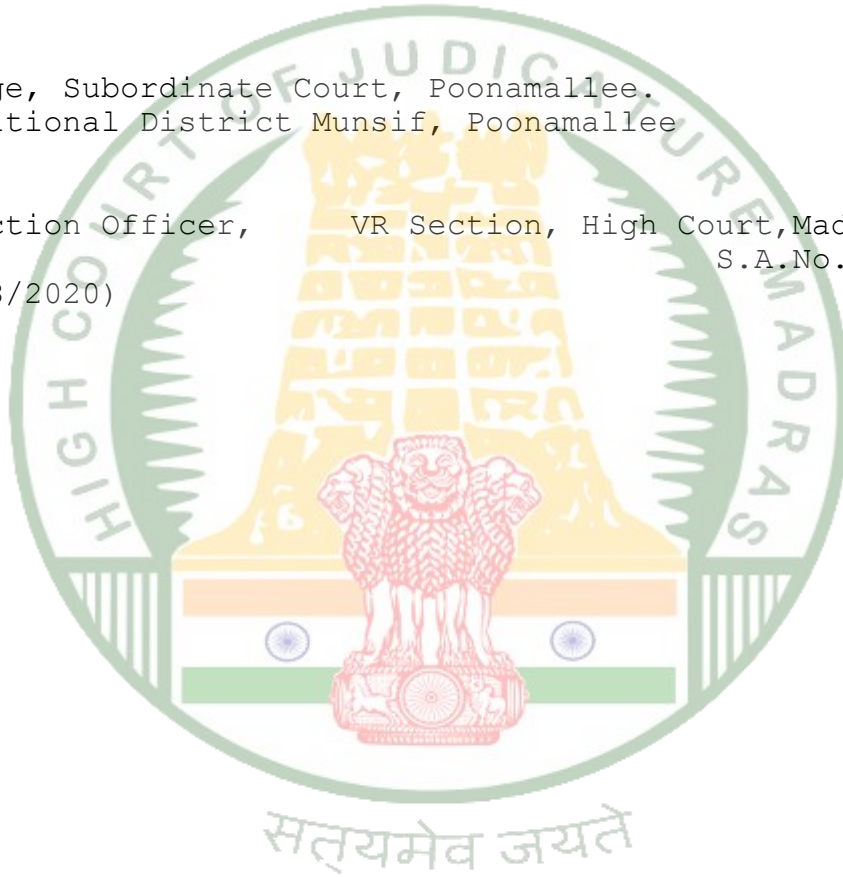
- 1.The Judge, Subordinate Court, Poonamallee.
- 2.The Additional District Munsif, Poonamallee

Copy to:

The Section Officer, VR Section, High Court, Madras.

S.A.No.361 of 2012

A.SK(07/08/2020)



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