



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.07.2021

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

S.A. No.859 of 1995

Ponnusamy Chettiar (Died)

2. Sasikala

3. Jayanthi

4. Mohan

5. Yesodai

6. Jikki

7. P. Durairaj

8. T. Kumutha

9. Sumathi

*10. Purushothaman

.... Appellants

Versus

1. Poolaga Chettiar (Died)

2. Thangarasu Chettiar (Died)

3. Ramasami Chettiar (Died)

4. Panduranga Chettiar (Died)

** 5. Rathinambal

6. Rajamaniammal

7. Mallika

8. Gunasekaran

9. Sampath

10. Vimala

***11. Dhanalakshmi

12. Sivakumar

13. Padma

14. Tamilselvi

**** 15. Ramanjuam

*****16. Saroja

17. Dhandapani

18. Sarala

19. Giri

20. Ashok

21. Bharathi

.... Respondents

* Appellants 2 to 10 brought on record as
LRs of the deceased sole appellant
viz., Ponnusamy Chettiar vide order
of the Court dated 31.07.2019 made
in CMP Nos.447, 449 and 452 of 2012 ..in S.A.No.859 of 1995



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** RR5 to 10 brought on record as LR's of the deceased 1st respondent viz., Poologa Chettiar vide order of Court dated 31.07.2019 made in CMP Nos.2580 to 2582 of 2007

..in S.A.No.859 of 1995

*** RR 11 to 14 brought on record as LR's of the deceased 2nd respondent viz., Thangarasu Chettiar vide order of Court dated 31.07.2019 made in CMP Nos.705 to 707 of 2010.

..in S.A.No.859 of 1995

**** Respondent 15 brought on record as LR of the deceased 3rd respondent viz., Ramasami Reddiar vide order of court, dated 31.07.2019 made in CMP No.708 of 2010.

..in S.A.No.859 of 1995

***** RR16 to 21 brought on record as LR's of the deceased 4th respondent viz., Panduranga Chettiar vide order of Court dated 31.07.2019 made in CMP Nos.709 to 710 of 2010.

..in S.A.No.859 of 1995

Second Appeal filed under Section 100 of the Civil Procedure code, against the judgment and decree in A.S. No.4 of 1993 on the file of the Sub-Judge, Villupuram, dated 14.08.1995 reversing the judgment and decree in O.S. No.689 of 1984 on the file of the District Munsif Court, Thirukoilur dated 21.07.1992.

For Appellants : M/s.A.R. Nixon

For Respondents : M/s.V. Raghavachari
for R6, 8, 9 to 12
R5, 7, 13 to 21 - Refused

JUDGMENT
(Heard video conference)

The matter is listed under the caption "for dismissal", today.

2. The learned counsel for the appellants once again seeks a



short accommodation. On the last hearing date i.e. on 07.07.2021 there was no representation on the side of the appellants. As seen from the earlier proceedings, the learned counsel for the appellants has been repeatedly seeking adjournments. The Second Appeal is of the year 1995. No further indulgence can be shown to the appellants in view of the repeated adjournments sought. It can now be inferred that the appellants are not interested to prosecute the Second Appeal. Accordingly, the Second Appeal is dismissed for non prosecution. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

vsi2

To

1. The Sub-Judge,
Villupuram.
2. The District Munsif Court,
Thirukoilur.

+1cc to Mr.V.Raghavachari, Advocate, S.R.No.33833

S.A. No.859 of 1995

JPL(CO)
SU(17/09/2021)