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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.08.2021

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

S.A. NOS.1639 & 1640 OF 1997 & 624 OF 2003

S.A.No.1639 of 1997

C.Krishnappa

... Appellant/Defendant

Vs

1.K.Ramachandran (Deceased)

2.Shantha

3.Mekala

4.Anitha

5.Umesh

... Respondents/Plaintiff

(Respondents 2 to 5 brought on record as LR's of the deceased R1 vide order of court dated 17.09.2010 made in CMP.Nos.2768 & 2769 of 2010)

PRAYER: Second Appeal filed under Section 100 C.P.C. against the Judgment and Decree dated 08.09.1997 passed in A.S.No.27 of 1996 on the file of the District Court, Nilgiris at Ootacamund, reversing the judgment and decree passed in O.S.No.449 of 1994 dated 18.01.1996 on the file of the District Munsif Court, Udthagamandalam.

For Appellant

: Ms.R.Ramya

for Mr.T.V.Krishnamachari

For Respondents 2 to 5

: Mr.P.N.Radhakrishnan

S.A.No.1640 of 1997

1.C.Krishnappa

2.K.Balachandar

3.K.Saradha

4.K.Leela

5.Hemalatha

... Appellants/Defendants 3 to 7

Vs

1.Shantha

... Respondents/Plaintiff

2.K.Sagadevan (deceased)

... Respondent / Ist DDefendant

3.Padma

4.Vivek

5.Praveen



6.Deepa

... Respondents

(Respondents 3 to 6 brought on record as LR's of the deceased R2 vide order of court dated 25.02.2015 made in CMP.Nos.36 to 38 of 2015)

PRAYER: Second Appeal filed under Section 100 C.P.C. against the Judgment and Decree dated 08.09.1997 passed in A.S.No.28 of 1996 on the file of the District Court, Nilgiris at Ootacamund, reversing the judgment and decree dated 18.01.1996 passed in O.S.No.448 of 1994 on the file of the District Munsif Court, Udthagamandalam.

For Appellants

: Ms.R.Ramya

for Mr.T.V.Krishnamachari

For Respondents 1 & 3 to 5 : Mr.P.N.Radhakrishnan

For Respondent 6

: No appearance

S.A.No.624 of 2003

1.C.Krishnappa

2.K.Balachandar

3.Saradha

4.Hemavathi Babu @ Hemalatha

5.Leela @ Leelavathi

... Appellants/Plaintiff

Vs

1.Ramachandran (Deceased)

2.Shantha

3.Mekala

4.Anitha

5.Umesh

... Respondents/Defendants

(Respondents 2 to 5 brought on record as LR's of the deceased R1 vide order of court dated 04.02.2015 made in CMP.Nos.2768 & 2769 of 2010)

PRAYER: Second Appeal filed under Section 100 C.P.C. against the Judgment and Decree of the District Court, Udthagamandalam, passed in A.S.No.7 of 2002 dated 08.03.2002 partly dismissing the judgment and decree of the District Munsif Court, Udthagamandalam passed in O.S.No.370 of 1997 dated 14.09.2001.



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For Appellants : Ms.R.Ramya
for Mr.T.V.Krishnamachari
For Respondents 2 to 5 : Mr.P.N.Radhakrishnan

COMMON JUDGMENT
(Heard through video conferencing)

The matter is listed under the caption "for dismissal" today. On 23.07.2021, this Court had recorded the submissions made by Ms.R.Ramya, learned counsel representing the counsel on record for the Appellants that the counsel on record for the Appellants will be giving change of vakalat to the Appellants in a day or two and also recorded the submissions of the learned counsel for the respondents that these second appeals have now become infructuous as the present disputes are only inter se disputes amongst the Appellants and the dispute between the Appellants and the respondents have been fully settled. This Court had directed the Registry to post the matter under the caption for dismissal on 03.08.2021. On 03.08.2021, one of the Appellants, namely Hemalatha was personally present before this Court through video conferencing and the matter was adjourned today once again under the same caption "for dismissal". Till date, no new counsel has entered appearance on behalf of the Appellants.

2. From the above, it is clear that the Appellants are not interested in prosecuting these second appeals. Accordingly, these second appeals are dismissed for non-prosecution. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The District Judge,
Nilgiris,
Udhagamandalam.



2. The District Munsif Court,
Nilgiris,
Udhagamandalam

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

+1 cc to M/s.T.V.Krishnamachari, Advocate Sr.No.39620

S.A. Nos.1639 & 1640 of 1997 & 624 of 2003

MG (CO)
PM(27/08/2021)