



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.09.2021

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

A.S.NO.921 OF 2004

AND

C.M.P.NO.20417 OF 2004

1. Sabira
2. Mohammed Sulaiman
3. Mehafooz Ahamed
4. Mohammed Thowfeeq

...Appellants/Plaintiffs

Vs

S.N.Mohammed Siddique

...Respondent/Defendant

PRAYER: Appeal Suit filed under Section 96 of the Code of Civil Procedure, to call for the records relating to the judgment and decree dated 22.03.2004 in O.S.No.2 of 2002 on the file of the Principal District Judge, Pondicherry and modify the same by decreeing the suit.

For appellants : Mr.R.Thiyagarajan

For respondent : No appearance

JUDGMENT

The learned Counsel for the appellants has filed a memo stating that he is unable to contact his client since the appellant's father was the only point of contact and he is no more. His Counter part in the lower Court is also no more. Therefore, the learned Counsel has expressed his inability to contact the appellant and has filed a memo to record the same.



2.The memo is recorded. Considering the fact that the appellants had failed to take notice to the respondent to date and has also not taken out necessary petition for substituted service, the first appeal stands dismissed.

3.Hence, the first appeal is dismissed for default and consequently, connected Miscellaneous Petition is also closed.

Sd/-
Assistant Registrar(CS-III)

// True Copy //

Sub Assistant Registrar

gd/vkr

To

The Principal District Judge,
Pondicherry.

Copy To

The Section Officer,
V.R.Section,
High Court, Madras.

A.S.No.921 of 2004
and
C.M.P.No.20417 of 2004

MG(CO)
RLP(04/10/2021)