



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.12.2021

CORAM

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

S.A.NO.1275 OF 2000

Sivakumara Boopathy

...Appellant/2nd Defendant

Vs

1. Palani Naicker,

2. Family Manager,
Periyasamy

... Respondents/
Plaintiff & 1st Respondent

[2nd respondent is given up
as an unnecessary party]

Second Appeal filed under Section 100 of the Code of Civil Procedure against the judgement and decree dated 15.02.1999 made in A.S.No.68 of 1998 on the file of the Sub Court, Bhavani confirming the judgement and decree dated 11.03.1998 made in O.S.No.189 of 1991 on the file of the Additional District Munsif Court, Bhavani.

For Appellant : No appearance

For Respondents : R1-Died
R2-Given up

JUDGMENT

When the matter was listed on 30.11.2021, this Court passed the following order :

'In the earlier occasion, when the matter came up for hearing on 16.11.2021, the learned counsel appearing for the appellant stated that there is no instructions from the appellant to pursue the matter further and therefore, he filed a memo to withdraw appearance and therefore the Registry was directed to



print the name of the appellant in the cause list and issue notice to the appellant returnable by 30.11.2021.

WEB COPY

2.Today (30.11.2021) when the matter was taken up for hearing, the cause list shows that service awaited for the sole appellant.

3.Hence, post the matter on 14.12.2021.''

2.Today, when the matter is taken up for hearing, despite service of notice on the appellant and his name being printed in the cause list, there is no appearance either in person or through counsel. Hence, this Second Appeal is dismissed for non-prosecution. There shall be no order as to costs.

Sd/-

Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

ms

To

1. The Subordinate Judge,
Sub Court,
Bhavani.
2. The Additional District Munsif,
Bhavani.
3. The Section Officer,
V.R.Section,
High Court, Madras.

S.A.No.1275 of 2000

SR(CO)
RLP(30/12/2021)