

IN THE HIGH COURT OF JUDICATURE AT MADRAS

MONDAY THE NINETEENTH DAY OF JULY

TWO THOUSAND AND TWENTY ONE

THE HONOURABLE MR.JUSTICE.ABDUL QUDDHOSE

C.M.P.No 66/2010

in

SA No.1726 of 2001

K.B.Lakshman

...Petitioner in CMP No 66/2010
and Appellant in SA 1726/2001

-Vs-

K.B.Joghee

...Respondent/Respondent

Prayer in CMP No.66 of 2010:

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to set aside the order of dismissed for default made on 22/12/2009 and restore the Appeal S.A.No.1726 of 2001.

Prayer in S.A.No.1726 of 2001:

Second Appeal has been filed U/s 100 of CPC against the Judgment and Decree passed by the District Judge and Appellate Authority of the Nilgiris at Udagamandalam passed in A.S No.28/99 dated 06/07/2001 allowing the Appeal and reversing the Judgment and decree of the trial Court (District Munsif Court at Udagamandalam) passed in O.S.No.56/1998 dated 03/08/1999.

ORDER:This Petition coming on for hearing on this day, and upon perusing the Petition and the affidavit filed in support thereof on the file of the High Court and petitioner not appearing in person or by Advocate the Court made the following order;

This petition has been filed to restore the Second Appeal, which was dismissed for default on 22.12.2009.

2.There is no representation on the side of the petitioner.

3.The Second Appeal is of the year 2001 and this CMP has been filed in the year 2010. The Petitioner has also not taken steps to serve notice on the respondent in this petition.

4.It can now be inferred the petitioner is not interested to prosecute this Petition. Accordingly, this CMP is dismissed for not prosecution.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

To

- 1.The District Judge,
The Nilgiris, Udagamandalam.
- 2.The District Munsif,
Udagamandalam.

Copy to

- 1.The Record Keeper,
VR section, High Court, Madras.
- 2.The Section Officer,
Judicial Department,
High Court, Madras-104.

Dated:19/07/2021

ORDER

CMP No.66 of 2010
in
S.A.No.1726 of 2001

Civil Miscellaneous Petition is
dismissed for non prosecution etc.,
as stated within.

Ad[co]
NSK 05/08/2021