

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 03.02.2021

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

C.M.S.A.No.21 of 2009

and

M.P.No.1 of 2009

Ravisankar

.. Appellant

Versus

1.R. Santhi

2.A. Krishnamoorthy

.. Respondents

Prayer: Civil Miscellaneous Second Appeal filed under Section 100 r/w Section 104 of the Code of Civil Procedure, against the judgment and decree dated 09.04.2009 made in A.S.No.178/2005, on the file of Subordinate Court, Namakkal in confirming the order and decreetal order dated 08.08.2005 made in R.E.A.No.472/2004 in R.E.P.No.207/2004 in O.S.No.338/99, on the file of Additional District Munsif, Namakkal.

For Appellant : Mr. M. Sudhakar

For Respondents: Steps not taken

J U D G M E N T

This Court passed an order on 24.07.2009, ordering notice to the respondents. Again, the matter was listed on 02.01.2019 and appellant was permitted to take fresh notice to the respondents returnable by 22.01.2019. Private notice was also permitted. Further, on 22.01.2019, again fresh notice was ordered and private notice was permitted. Finally on 11.11.2019, again fresh notice was ordered to the respondents. In spite of several opportunities, the appellant has not even paid batta for the past about 11 years and not taken any steps to serve the respondents privately.

2. In view of the fact that the appellant has not taken any steps to serve notice to the respondents for the past about

11 years, this Court is not inclined to keep the appeal pending for an unspecified period. Accordingly, CMSA.No.21 of 2009, stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

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Sub Assistant Registrar

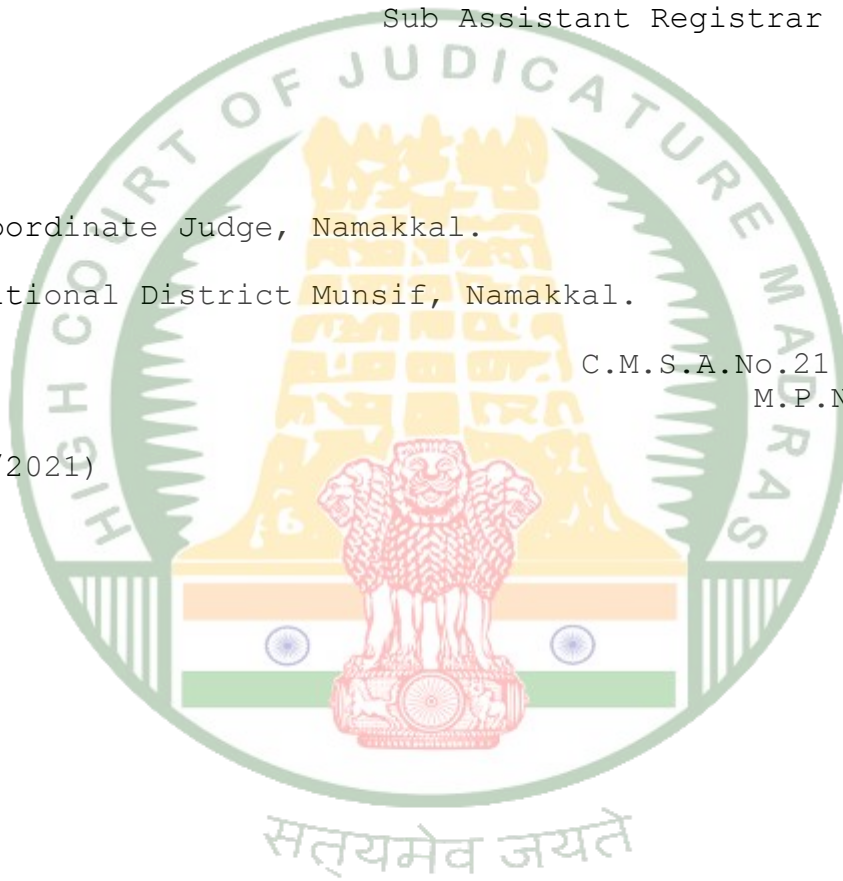
AT

To

- 1.The Subordinate Judge, Namakkal.
- 2.The Additional District Munsif, Namakkal.

C.M.S.A.No.21 of 2009 and
M.P.No.1 of 2009

SSI (CO)
RMP (04/03/2021)



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