



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 30.11.2021
CORAM

THE HONOURABLE MRS. JUSTICE J.NISHA BANU

WEB COPY

S.A.No.927 of 2002

- 1.Srinivasan
- 2.Kanaagi (died)
- 3.C.Radha
- 4.S.Muthuvenkatesan
- 5.S.Kumaravelan

.... Appellants/Defendants 1 to 4 in Trial Court

[1st appellant is recorded as the L.R.'s deceased 2nd appellant and appellants 3 to 5 are bring on record as L.R.'s of deceased 2nd appellant vide order dated 08.08.2019 made in C.M.P.No.175 and 176 of 2009 in S.A.No.927 of 2002]

Vs.

- 1.Ramamoorthy Chettiar
- 2.Saradhambal
- 3.P.Venkatesan
- 4.P.Chakrapani
- 5.P.Thirukamu
- 6.P.Pandu
- 7.P.Balaji (died)
- 8.K.Kokilam
- 9.Rani
- 10.Indira

...Respondents/ Plaintiff& Defendants 3,5 to 12

(Notice dispensed with in respect of R9 in view of the order dated 08.08.2019 in C.M.P.No.175 and 176 of 2009 in S.A.No.927 of 2002]

Second Appeal filed under Section 100 of the Code of Civil Procedure as against the judgement and decree dated 21.8.2001 made in Cross Objection A.S.No.55 of 1998 on the file of the Additional Sub Court, Cuddalore confirming the judgement and decree dated 24.8.98 passed in O.S.No.382 of 96 on the file of the District Munsif Court, Cuddalore.

For Appellants	: No appearance
For Respondents	: No appearance



J U D G M E N T

On 23.04.2021, learned counsel for the appellants sought time to take steps to bring on record the legal representatives of the deceased second respondent and therefore, the matter was adjourned to 17.06.2021.

2.On 17.06.2021, learned counsel for the appellants submitted that she had sent a registered letter to the appellants seeking instructions as regards the impleadment of the legal representatives of the deceased second respondent since there was no response, again the matter was adjourned to 08.07.2021.

3.On 08.07.2021, learned counsel for the appellants sought time to get instructions for withdrawal and therefore, the matter was adjourned to 23.07.2021.

4.On 23.07.2021, learned counsel for the appellants submitted that she had been instructed to withdraw this Second Appeal. However, she sought time to get written instructions and therefore, the matter was adjourned to 06.08.2021.

5.On 06.08.2021, again the learned counsel requested short accommodation stating that she will receive the communication from her client to withdraw the Second Appeal and therefore, the matter was adjourned to 17.08.2021.

6.On 17.08.2021, learned counsel representing the counsel for the appellants submitted that despite letter being sent to the appellants seeking further instructions, the appellants have not responded and therefore, she reported no instructions. Registry was directed to print the name of the appellants and the matter was adjourned to 07.09.2021 and thereafter, the matter is listed today i.e., on 30.11.2021.

7.Though the names of the appellants having been printed in the cause list today (30.11.2021), neither the appellants nor their counsel entered appearance and therefore, this Second Appeal is dismissed for non-prosecution.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ms/pam



To

1.The Additional Sub Judge,
Additional Sub Court,
Cuddalore.

2.The District Munsif,
District Munsif Court,
Cuddalore.

Copy to:

The Section Officer,
VR Section,
High Court, Madras

S.A.No.927 of 2002

GPL(CO)

A.SK(07.01.2022)