

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.02.2021

CORAM:

THE HON'BLE MR.JUSTICE T.RAVINDRAN

S.A.No.1479 of 2008

S.Kanniappan,  
S/o, Samarapathy,  
No.158, Corporation Line,  
Harbour Tentaments,  
Chennai - 600 001.

... Appellant

Vs.

A.Sampangi Raj [Died]

1. S.Suseela
2. Gunaseelan
3. Kanchana
4. J.Jevabai
5. Thenmozhi
6. Muralidharan

[ 2 to 6 are Legalheirs of A.Sampangi Raj  
impleaded in CMP.942 /2003 in  
A.S.No.359 of 2002 Dated 25.07.2003]

R1 to R6 are residing at  
D.No.56, Seeyalam Street,  
Malligaichery Village,  
Villivakkam,  
Chennai - 600 049.

... Respondents

Prayer:Second Appeal filed under Section 100 of C.P.C., against the judgment and Decree dated 31.05.2007 made in A.S.No.359 of 2002 on the file of the Additional District-cum-Sessions Judge, [Fast Track Court No.1], Chennai, confirming the judgment and decree made in O.S.No.2562 of 1989 on the file of the XV Assistant Judge, City Civil Court, Chennai dated 19.06.1996.

For Appellant : No appearance

For Respondents: Mr.Sugumar

J U D G M E N T

Counsel for the respondents present.

2. Already the counsel for the appellant has filed the memo reporting no instructions and on that basis, the appellant being called, remaining absent, the Registry was directed to list the matter today i.e., on 16.02.2021, under the caption "for dismissal", by printing the name of the appellant in the cause list.

3. Today when the matter is called, there is no representation for the appellant. Appellant called, absent.

4. In the light of the abovesaid factors, the second appeal is dismissed for non-prosecution with costs. Consequently, connected miscellaneous petition, if any, is closed.

MEMORANDUM OF COSTS

|                       | Rs.P  |
|-----------------------|-------|
| Stamp for Vakalatnama | 10.00 |
|                       | ----- |
| Total                 | 10.00 |
|                       | ----- |

Sd/-  
Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

mfa

To

1.The Additional District-cum-Sessions Judge,  
[Fast Track Court No.1],  
Chennai.

2.The XV Assistant Judge,  
City Civil Court,  
Chennai.

Copy to

The Section Officer,  
VR Section,  
High Court.

+1cc to Mr.Sugumar R.Raju, Advocate SR.9005

S.A.No.1479 of 2008

GMR (CO)  
CB(19/03/2021)