



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.07.2021

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

Second Appeal No.1592 of 2008
and
M.P.No.1 of 2008

1.A.Shanmuga Sundaram

2.A.Balasubramaniam

3.A.Manicka Sundaram

...Appellants / Defendants 3 to 5

Vs.

1.P.Vijayalakshmi

...1st Respondent / Plaintiff

2.J.Pushpanayagam

3.A.Suseela

...Respondents 2 & 3 / Defendants 1 & 2

Prayer:- The Second Appeal filed under Section 100 of C.P.C., against the judgment and decree passed in A.S.No.32 of 2006 before the Sub-Court, Pollachi dated 28.06.2007 in O.S. No.558 of 1998 before the District Munsif Court, Pollachi dated 29.03.2004.

For Appellants : No Appearance

For Respondents : Mr.N.Manoharan for R1
No Appearance for R2 & R3

J U D G M E N T

(The case has been heard through video conference)

The appellants have entrusted the matter to the counsel as early as in 2008 thereafter, they have not appeared and contacted their counsel. On 16.06.2021, one Mr.Kasirajan,



learned Advocate submitted that he was instructed to appear on behalf of the appellants and he would undertake to file his vakalat. However, he has not filed any vakalat on behalf of the appellants. Therefore, this Court had directed the Registry to send drafted notice to the appellants.

2. The notices have returned as 'P1-left, P2-not known, P3-Addressee cannot be located'. The counsel for the respondents also tried to get the address of the appellants and he was informed by his counterpart that the parties have settled the matter. However, even his counterpart has not been able to provide necessary details.

3. Considering the fact that the appellants have not chosen to contest the appeal, the appeal stands dismissed for default. Connected Miscellaneous Petition is also dismissed. No costs.

Sd/-
Assistant Registrar (CS-IV)

// True Copy //

Sub Assistant Registrar

rkp

To:

1.The Subordinate Judge,
Pollachi.

2.The District Munsif,
Pollachi .

+1cc to M/s.N.Manokaran, Advocate SR.No.36603

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RSI(CO)
RVM(27/08/2021)