



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.08.2021

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

S.A. No.174 of 2007
and M.P.No.1 of 2007

Madhu Kumari

...Appellant/Plaintiff

Versus

1.Saraswathi Devi
2.D.Suresh Jain
3.Prakash Jain
4.Kamal Jain
5.Manju Kumari
6.Bharath Jain
7.Kaju Devi
8.Dinesh Kumar
9.Sulekh
10.S.Kanchan
11.S.Mamtha
12.S.Geetha
13.S.Chandra
14.Devendra Kumar
15.Kailash P.Jain

...Respondents/Defendants

Second Appeal filed under Section 100 of the Civil Procedure code, against the decree and judgment passed in A.S. No.490 of 2004 dated 17.10.2005 on the file of learned Additional District Judge, Fast Track Court V, Chennai confirming the judgment and decree dated 27.02.2004 in O.S.No.4394 of 1992 on the file of V Assistant Judge, City Civil Court, Chennai.

For Appellant : Mr.R.Rajesh
For Respondents : Not ready in notice

JUDGMENT

This Court, by order dated 22.07.2021, made it clear that if steps are not taken to serve notice on the respondents 1 to 15 before the next date of hearing, the second appeal shall stand automatically dismissed for non-prosecution.

2. Learned counsel for the appellant would submit that despite his best efforts, he has been unable to serve notice.



Therefore, it can now be inferred that the appellant is not interested to prosecute the Second Appeal. In view of the order passed on 22.07.2021, the Second Appeal is dismissed for non prosecution. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

sr

To

1. The Additional District Judge, Fast Track Court V, Chennai
2. The V Assistant Judge, City Civil Court, Chennai.

S.A.No.174 of 2007

AD(CO)
LS(09/09/2021)