



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.06.2021

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

S.A.No.74 of 2008

State Bank of Hyderabad,
Indira Nagar Branch,
rep. by its Manager,
Adyar,
Chennai - 600 020.

...Plaintiff/Appellant/Appellant

Vs.

H.V.Janaki Ammal (deceased)
proprietrix M/s.Warren Plastics

1.H.V.Viswasvaran
2.M.G.Radhakrishnan
3.V. Hariharan
4.M. Nagalakshmi

...Defendants 2 to 5/Respondents/
Respondents

PRAYER: Second Appeal filed under Section 100 of the Code of Civil Procedure against the Judgment and Decree dated 14.03.2007 in A.S.No.54 of 2006 passed by the learned Additional District and Sessions Judge, Fast Track Court No.V, Chennai, confirming the Judgment and Decree passed by the learned XVII Assistant Judge, City Civil Court, Chennai dated 27.06.2005 passed in O.S.No.6424 of 1997.

For Appellant : Mr.M. Arunkumar
for M/s.Sampath Kumar Associates

For Respondents: Proof of paper publication not file
regarding R1 to R4.

JUDGMENT

On perusal of the records, it would reveal that by orders of this Court dated 29.01.2019, the appellant herein was directed to take Substituted Service. However, though the substituted Service was ordered, the proof of paper publication was not effected since the paper publication has not taken by the appellant.



When the matter came up on 26.04.2021 the appellant sought time for taking fresh paper publication and the request was also granted. However, Substituted Service which was ordered as early as on 29.01.2021 has not been taken on the respondents. Therefore, it appears that the appellant is not keen in proceeding with the appeal. Hence, the Second Appeal is dismissed for default as notice to the respondents has not been effected todate. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

mps

To

- 1.The Additional District and Sessions Judge,
Fast Track Court No.V,
Chennai.
- 2.The XVII Assistant Judge,
City Civil Court,
Chennai.

S.A.No.74 of 2008

RGN(CO)
RGA(18/08/2021)