



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 20.12.2021

C O R A M

THE HONOURABLE Mrs. JUSTICE J.NISHA BANU

Second Appeal Nos.352 and 353 of 2006
and C.M.P.No.4799 Of 2006 in S.A.No.353 of 2006

Kalichiammal (Died)

1.Karunanidhi (Died)

2.Govindan

3.Murugan

4.Viruthambal

5.Sathya

6.Nithya (Minor)

7.Kavitha (Minor)

8.Purushothaman (Minor)

Minors 6 to 8 rep by Mother

by Guardian Viruthambal ... Defendants/ Appellants/

Appellants

(In both Second appeals)

(Appellants 4 to 8 brought on record

as LR's of the deceased appellant viz.,

A.Karunanidhi vide order dated 03.02.2021

made in CMP No.3010 to 3015 of 2016

in S.A.Nos.352 and 353 of 2006)

Vs

1.Tamizharasi

2.Malarmangai

... Plaintiffs/Respondents/ Respondents

(In both Second appeals)

Common Prayer: Second Appeal is filed against the judgment and decree of the First Additional Subordinate Judge, Villupuram, dated 30.04.2004 made in A.S.Nos.35 and 78 of 2001 respectively, confirming the Judgment and Decree dated 18.09.2000 made in O.S.No.1092 of 1995 on the file of the Second Additional District Munsif, Ulundurpet.

For Appellants ... No appearance

(In both Second appeals)

For Respondents ... M/s.V.Raghavachari

(In both Second appeals)



COMMON JUDGMENT

When the second appeal was listed for hearing on 14.07.2021, it was represented that there was some settlement arrived at between the parties and for reporting settlement, it was adjourned to 04.08.2021. Subsequently, when it was listed on 17.11.2021, there was no representation on behalf of the appellants and hence it was directed to be listed 'for dismissal' on 19.11.2021.

2. On 19.11.2021, one M/s.D.Sivagama Sundari, learned counsel representing the appellants, would submit that Mr.R.Balasubramaniam, counsel on record, passed away and sought for short accommodation to get instructions from the parties. Thereafter, the matter was listed 03.12.2021. Therefore, again it was listed on 17.12.2021 under the same caption 'for dismissal' and thereafter on 20.12.2021. Today also, when the matter was taken up for hearing, there is no representation on behalf of the appellants. Hence, second appeals are dismissed for non-prosecution. Consequently, connected Criminal Miscellaneous Petitions are closed.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

RR
To

1. The Second Additional District Munsif,
Ulundurpet.
2. The First Additional Subordinate Judge,
Villupuram.

Copy to

The Section Officer,
V.R. Section, High Court,
Madras.

S.A.Nos.352 and 353 of 2006

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srg 27/01/2022