

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.07.2021

CORAM :

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

S.A. No.928 of 2007

R.Balakrishnan ...Appellant / Appellant / Plaintiff
Versus

K.Hayathkhan ...Respondent / Respondent / Defendant

Second Appeal filed under Section 100 of the Civil Procedure code, against the decree and judgment passed in A.S. No.83 of 2004 dated 10.08.2005 on the file of Principal Sub Court, Cuddalore confirming the judgment and decree dated 12.08.2004 rendered in O.S.No.577of 2004 on the file of Principal District Munsif, Cuddalore.

For Appellant : Mr.T.S.Baskaran

For Respondent : Not ready in notice

JUDGMENT

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

2. Mr.T.S.Baskaran, 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.

Sd/-

Assistant Registrar (CS-IV)

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Sub Assistant Registrar

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To

1.The Principal Subordinate Judge,
Cuddalore,

2.The Principal District Munsif Judge,
Cuddalore

+1cc to Mr.T.S.Baskaran, Advocate SR.No.40138

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