



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.12.2021

CORAM

THE HONOURABLE MR.JUSTICE R. PONGIAPPAN

S.A.No.1000 of 2010

Rajendran

..Appellant

Vs

1.Ramasamy
2.Ponnusamy
3.Palaniappan
4.Thimmakkal
5.Kasturi

.. Respondents

Prayer : The Second Appeal is filed under Section 100 of C.P.C. against the judgment and decree dated 27.11.2009 made in A.S.No.22 of 2009 on the file of the Principal Sub Court, Gobichettipalayam, confirming the judgment and decree dated 22.01.2009 made in O.S.No.510 of 2004 on the file of the District Munsif Court, Sathyamangalam.

For Appellant : No appearance

For Respondents
1, 2 & 5 : Mr.S.Parthasarathy

For Respondents-3 : No appearance

Respondent-4 : Died

JUDGMENT

When this appeal came up for hearing on 16.11.2021, it was represented that the appellant was dead. Further, when the case was taken up for hearing on 30.11.2021, the learned counsel for the appellant submitted that a memo has been filed stating that he has already given change of vakalat and handed over the papers to Mr.Roshan Atiq, Advocate on 07.04.2018.

2. On verification of records it appears that after receipt of case records Mr.Roshan Atiq, learned counsel has not filed any vakalat on behalf of the appellant. Hence, the Registry was directed to print the name of the appellant in the cause-list and to list the matter under the caption 'For Dismissal' on 03.12.2021. Accordingly, the case was listed today under the caption 'For Dismissal'.



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3. Even today (07.12.2021), though the name of the appellant is printed in the cause-list, there is no representation on behalf of the appellant either in person or through counsel. The learned counsel appearing for the respondents 1, 2 and 5 is present.

4. In view of the above, this Second Appeal is dismissed for non-prosecution. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

rsi

To

1. The Principal Subordinate Judge,
Gobichettipalayam.

2. The District Munsif Court,
Sathyamangalam.

+1cc to Mr.S.Parthasarathy, Advocate, S.R.No.64434

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SS(CO)
RGA(23/12/2021)