



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.12.2021

CORAM

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

S.A.No.1845 of 2004
and
C.M.P.No.7022 of 1993

- 1.Sivgnanam
- 2.Padmanabhan
- 3.Bhaktavatsalam

...Appellants

Vs

1. A.Rajagopal Gounder
Special Officer,
Koliyanoor Panchayat Union,
Koliyanoor Village.

2. Raghupathy

...Respondents

Second Appeal filed under Section 100 of the Code of Civil Procedure as against the judgement and decree dated 07.09.1992 passed in A.S.No.139 of 1990 by the Sub Judge, Villupuram in confirming the Judgement and decree dated 28.2.1990 in O.S.No.767 of 1987 by the learned Additional District Munsif, Villupuram.

For Appellants : Ms.Abirami
for Mr.V.Raghavachari

For Respondents : No appearance

J U D G M E N T

When the matter was taken up for hearing on 27.08.2021, the learned counsel for the appellants submitted that the first respondent died and she sought time for taking steps to bring on record the legal representatives of the deceased first respondent and this Court has made it clear that if the appellant has not taken steps before the next date of hearing, the Second Appeal shall stand automatically dismissed for non-prosecution as against the first respondent and adjourned the matter to 06.09.2021.

2.On 07.09.2021, when the matter was taken up for hearing,



the learned counsel for the appellants sought time and hence, the matter was adjourned by four weeks.

3. On 06.10.2021, when the matter was taken up for hearing, the learned counsel for the appellant sought further time to implead the legal heirs of the deceased first respondent and the matter was adjourned by four weeks.

4. Thereafter, on 22.11.2021, at the request of the learned counsel for the appellants, the matter was adjourned to 23.11.2021. Again, on 23.11.2021, the matter was adjourned to 07.12.2021.

5. Today, when the matter is taken up for hearing, learned counsel for the appellants submitted that she is not able to get instructions from the appellants to pursue the matter further.

6. In view of the above submissions made by the learned counsel for the appellants, this Second Appeal is dismissed for non-prosecution. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

ms

To

1. The Sub Judge,
Villupuram
2. The Additional District Munsif,
Villupuram.

Copy To

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

S.A.No.1845 of 2004
and
C.M.P.No.7022 of 1993

PL(CO)
RGA(28/12/2021)