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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.12.2021

CORAM:

THE HON'BLE MR.JUSTICE R.PONGIAPPAN

S.A.NO.1272 OF 2010

AND

M.P.NO.1 OF 2010

P.Subbarayan

... Appellant

Versus

A.P.Periyasamy (died)

Rathinammal (died)

1.Shanmugam

2.Thangavelu

... Respondents

PRAYER: Second Appeal filed under Section 100 of the Code of Civil Procedure to set aside the Judgment and Decree dated 01.07.2009 made in A.S.No.62 of 2008 on the file of the Subordinate Judge, Rasipuram confirming the Judgment and decree dated 01.12.2004 made in O.S.No.345 of 2004 on the file of District Munsif, Rasipuram.

For Appellant : No appearance

For Respondents : Mr.M.R.Thangavel for R1 and R2

JUDGMENT

Today, when the appeal came up for hearing, the learned counsel for the respondents alone appeared before this Court and there is no representation on the side of the appellants. In fact, on 13.12.2021, when the appeal was taken up for hearing, learned counsel appearing for the appellant appeared before this Court and reported 'no instructions' for the appellant. In view of the same, this Court, directed the Registry to print the name of the appellant in the cause list and to post the matter under the caption 'for dismissal on 17.12.2021'. Even after showing the name of the appellant in the cause list, none appeared on behalf of the appellant, viz., P.Subbarayan.



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2. Hence in view of the above, the present Second Appeal is dismissed for default. Consequently connected miscellaneous petition is closed. No costs.

Sd/-

Assistant Registrar(CS-V)

//True Copy//

Sub Assistant Registrar

ssd

To

1. The Subordinate Judge,
Rasipuram.
2. The District Munsif,
Rasipuram.

Copy To

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

+1cc to Mr.M.R.Thangavel, Advocate, S.R.No.68359

S.A.No.1272 of 2010 and
M.P.No.1 of 2010

AD(CO)
RLP(12/01/2022)