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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

AS.No.313/2018

[Video Conferencing]

1.K.Mani
2.M.Palaniammal

.. Appellants/Defendants

Vs.

G.Sivaneswaran

.. Respondent/Plaintiff

Prayer:- Appeal Suit filed under Section 96 CPC read with Order XLI Rule 1 CPC against the Decree and judgment passed in O.S.No.2/2015 dated 28.02.2017 on the file of the Learned III Additional District Judge, Vellore at Tirupattur.

For Appellants : No Appearance

For Respondent : Mrs.A.L.Gandhimathi

JUDGMENT

- (1)The Appeal is against the decree passed in the money suit.
- (2)This Court is able to see that when the matter was posted earlier before the Division Bench on 06.07.2019, the Division Bench has directed the Registry to post the Appeal under the caption "For Dismissal", as there was no representation for the appellants.
- (3)On a different occasion, when the matter appeared before a learned Single Judge of this Court on 10.12.2019, for want of appearance on behalf of the appellants, there was a direction to post the matter under the caption "For Dismissal". Again there was no representation for the appellants before another learned Judge.
- (4)When the Appeal is posted today before this Court for final hearing, there is no representation for the appellants.
- (5)This Court is unable to give further time as the learned counsel for the appellants has not shown any interest in prosecuting this Appeal and further adjournment will not be in the interest of justice.



(6) This Court is inclined to dismiss the Appeal Suit for non prosecution and accordingly, the same is dismissed for non prosecution. No costs.

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Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

cda

To

1. The III Additional District Judge,
Vellore,
Tirupattur.
2. The Section Officer,
VR Section,
High Court,
Chennai.

+1CC to M/s.AL.Ganthimathi, Advocate, Sr.No.59139

AS.No.313/2018

RR (CO)
K.RK. (29.11.2021)