



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.12.2021

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WEB COPY

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

S.A(MD)No.517 of 2017

Panappandi ... Appellant/Respondent/Plaintiff

Vs.

Ramakrishnan ... Respondent/Appellant/Defendant

Prayer : Second Appeal filed under Section 100 of the Code of Civil Procedure against the judgment and decree, dated 14.06.2017 passed in A.S.No.21 of 2015, on the file of the Additional District Court, Theni (Periyakulam), reversing the judgment and decree, dated 21.11.2014 passed in O.S.No.190 of 2010 on the file of the Subordinate Court, Theni.

For Appellant : No Appearance

For Respondent : Mr.S.Alagarsamy

JUDGMENT

When the matter was taken up for hearing on 12.11.2021 the learned counsel for the appellant sought time and the matter was ordered to be listed on 29.11.2021. On 29.11.2021, the learned counsel for the appellant seeks time stating that he had written a letter to the parties concerned and sought time and again the matter was ordered to be listed on 08.12.2021. On 08.12.2021, the learned counsel for the appellant submitted that he has not received any instructions from his client and reported 'no instructions' and hence, the Registry is directed to print the name of the appellant in the cause list and post the matter on 14.12.2021. On 14.12.2021 there is no representation on behalf of the appellant either in person or through counsel, despite his name being printed in the cause list and thereby the matter was ordered to be listed under the caption 'for dismissal' on 15.12.2021.

2. Even today (i.e., on 15.12.2021), there is no representation for the appellant. The Second Appeal is of the year 2017. When the matter is taken up for hearing, there is no representation on behalf of the appellant and the same clearly



indicates that the appellant has not shown any interest to prosecute the appeal any further. Hence, the Second Appeal is dismissed for non-prosecution. No costs.

Sd/-

Assistant Registrar(CS-III)

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// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Additional District Court,
Theni (Periyakulam),
- 2.The Subordinate Court,
Theni.
- 3.The Record Keeper,
V.R. Section,
Madurai Bench of Madras High Court,
Madurai.(2 COPIES)

Judgment made in
S.A(MD)No.517 of 2017
15.12.2021

NSN(CO)
TR(22.12.2021) 2P 5C