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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.01.2022

CORAM:

THE HONOURABLE MRS. JUSTICE J.NISHA BANU

S.A.No.1281 of 2008
and M.P.No.1 of 2008

Siva

... Appellant/Petitioner

Vs.

1.Rasu
2.Venkatesan
3.Mahalakshmi
4.Minor Pugazhendi
rep.by mother & guardian Mahalakshmi

5.Mangathal

... Respondents/Defendants

Prayer: Second Appeal filed under Section 100 of the Code of Civil Procedure against the Judgment and the decree dt.19.9.2007 in A.S.No.82/2006 on the file of the Additional Sub Court, Vridhachalam, confirming the judgment and the decree dt. 30.12.2005 in O.S.No.30/2002 before the II Additional District Munsif Court, Vridhachalam.

For Appellant : Ms.Nilophar
for Ms.R.Meenal

For Respondents : Mr.V.Raghavachari for R3 to R5
R1 and R2 - No appearance

J U D G M E N T

When the matter was taken up for hearing on 28.09.2021, learned counsel for the appellant sought time to take steps for R2. Thereafter, the matter was directed to be listed after 4 weeks.

2.When the matter was taken up for hearing on 09.11.2021, the learned counsel for the appellant reported that R2 died and hence for taking steps, the matter was directed to be listed on 01.12.2021.

3.Today, when the matter is taken up for hearing, learned counsel for the appellant reported "no instructions".



4. Recording the submissions made by the learned counsel for the Appellant, this Second Appeal is dismissed for non-prosecution. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

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Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

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To

1.The Additional Sub Judge, Vridhachalam.

2.The II Additional District Munsif Court, Vridhachalam.

Copy to

The Section Officer
V.R. Section,
High Court, Madras 600 104.

+1cc to Mr.V.Raghavachari, Advocate, S.R.No.2543

+1cc to Ms.R.Meenal, Advocate, S.R.No.2933

S.A.No.1281 of 2008

NK(CO)
CT 25/02/2021