



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.09.2022

CORAM

THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

Second Appeal No.1999 of 2003

Irusan(died)

1.Gangammal

2.Mallika

3.Poyyomoli

4.Thiru Gnanam

... Appellants

Vs.

1.Elumalai

2.Ramalinga Reddiar

... Respondents

Prayer:- This second appeal has been filed under Section 100 C.P.C., against the judgement and decree dated 11.03.2003 made in A.S.No.97 of 2002 on the file of the learned Additional District and Sessions Judge, Tindivanam, FTC-II confirming the judgement and decree dated 24.12.1996 made in O.S.No.671 of 1992 on the file of the learned District Munsif, Tindivanam.



For Appellants : No Appearance
For Respondents : Mr.Prithivi for Mr.S.Kaithamalai
Kumaran for R2

JUDGEMENT

It is seen from the records that when the matter was taken up for hearing on 14.06.2022, there was no representation for the appellants. Therefore, the matter was adjourned to 22.06.2022. Again, when the matter was listed on 27.06.2022, there was no representation for the appellants and the matter was directed to be listed whenever appellants' counsel makes a request for it to be listed. On 07.09.2022, when the matter was called, again there was no representation for the appellants and the matter was directed to be listed on 15.09.2022, under the caption " for dismissal". When the matter was taken up for hearing on 15.09.2022, the learned counsel for the appellants present and seeks time stating that the bundle got mis-placed and hence, for collecting the case papers from his client. At his request, the matter was adjourned to 29.09.2022. Today, when the matter is called, none appeared for the



appellants.

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2.All these facts clearly indicate that the appellants are not interested in prosecuting the case. Hence, this Court has no other option except to dismiss the second appeal for non-prosecution.

3.Accordingly, the second appeal dismissed for non-prosecution.

No costs.

29.09.2022

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To

1.The learned Additional District and Sessions Judge,
Tindivanam, FTC-II

2.The learned District Munsif, Tindivanam

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KRISHNAN RAMASAMY.J.,

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