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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.02.2022

CORAM :

THE HON'BLE MRS.JUSTICE J.NISHA BANU

C.M.S.A.No.33 of 2013

and

M.P.No.1 of 2013

Kumarasamy

... Appellant

Vs.

1.A.Palanisamy

Ramasamy Gounder (Died)

2.Vellingiri

3.Devayal

4.Saraswathi

...Respondents

PRAYER: Civil Miscellaneous Second Appeal filed under Section 100 r/w 21 Rule 58 of Cr.P.C against the Judgment and Decree dated 10.09.2012 made in A.S.No.10 of 2012 on the file of the Principal District and Sessions Judge, Erode reversing the judgment and decree dated 21.08.2006 made in E.A.No.305 of 2004 in E.P.No.127 of 2001 in O.S.No.61 of 2000 on the file of the Principal Subordinate Judge, Gobichettipalayam.

For Appellant

:

Mr.R.T.Doraisamy

For Respondents

:

No appearance for R1 & R2
R3 Died (Steps Due)
R4 unclaimed.

J U D G M E N T

The learned counsel appearing for the appellant would state that he is not able to get instructions from the parties to proceed with the matter further.

2.In view of the submission made by the learned counsel for the appellant, this Civil Miscellaneous Second Appeal is



dismissed for non-prosecution. No costs. Consequently, connected miscellaneous petition is closed.

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Sd/-
Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

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To

1. The Principal District and Sessions Judge,
Erode.
2. The Principal Subordinate Judge,
Gobichettipalayam.

C.M.S.A.No.33 of 2013
and
M.P.No.1 of 2013

AD (CO)
SU (25/02/2022)