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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2022

CORAM

THE HONOURABLE MRS. JUSTICE R. HEMALATHA

S.A.No. 1025 of 2011

and

M.P. No.1 of 2011

Rajendran

... Appellant/2nd Appellant

Vs.

1. K. Phazhani Pillai ... 1st Respondent/Respondent/Plaintiff

2. Kaliaperumal

3. Thamizharasan

... Respondents 2&3/Appellants 1&3/Defendants 1&3

Prayer: Second Appeal filed under Section 100 CPC against the decree and judgment dated 18.03.2011 on the file of the First Additional Subordinate Judge, Cuddalore, in A.S. No.13 of 2010, upholding the decree and judgment dated 17.06.2009 on the file of the Additional District Munsif, Cuddalore, in O.S. No.656 of 2005.

For Appellant : Mr. S.K. Rakhunathan
No Appearance

For R1 : Ms. R. Meenal

JUDGMENT

On 08.02.2022, it was represented by Ms.Meenal, learned counsel for the first respondent that the matter has been settled between the parties and that the respondents have also executed a sale deed in favour of the appellant in respect of the suit property. She further contended that nothing survives for further adjudication in the present case. Since the counsel for the appellant sought time to get instructions from his client, the matter was adjourned on several dates and ultimately it was posted under the caption for dismissal on 15.02.2022 and 18.02.2022.

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



3. In view of the same, this Second Appeal is dismissed for non prosecution. No costs. Consequently connected miscellaneous petition is closed.

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Sd/-
Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

bga

To

1. The First Additional Subordinate Judge,
Cuddalore.
2. Additional District Munsif,
Cuddalore.
3. The Section Officer,
VR Section,
High Court, Madras.

+1cc to M/s.R.Meenal, Advocate, S.R.No.11006

S.A.No. 1025 of 2011

KJ(CO)
SU(13/05/2022)