



A.S(MD)No.19 of 2011

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.07.2022

CORAM:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

A.S(MD)No.19 of 2011

and

M.P.(MD) No.1 of 2011

1.Marimuthu

2.Maduraiveeran

3.M.Arumugam

4.D.Pooranam

5.Minor.Ponmuthuramalingam

6.Minor.D.Moorthy

(Minor appellants 5 & 6 are represented through their mother and natural guardian, 4th appellant.)

...Appellants

Vs.

1.The Deputy Commissioner,
HR & CE Administrative Department,
No.40, Muthusamy Nagar,
Thiruppathur Road,
Sivagangai.



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2.The Commissioner,
HR & CE Administrative Department,
No.19, Nungambakkam High Road,
Chennai - 600 034.

3.Balu Thevar

4.The Revenue Divisional Officer,
Aruppukottai,
Aruppukottai Town,
Virudhunagar District.

5.Podaiyammal

6.Vallammal

7.Muthumari

8.M.Subramanian

9.M.Kanjan

10.B.Singaravelu

11.B.Raman

12.P.Rackkappan

13.B.Angammal

14.B.Muneeswari

15.B.Packiyam

...Respondents



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PRAYER: Appeal Suit filed under Section 96 of the Code of Civil Procedure, against the judgment and decree dated 25.10.2010 passed in O.S.No.243 of 2001, by the learned Subordinate Judge, Aruppukottai.

For Appellants : No Appearance

For Respondents : No Appearance

JUDGMENT

A perusal of the cause-list shows that steps due to bring on record the legal heirs of the deceased first respondent in Miscellaneous Petition, who has been arrayed as third respondent in the main appeal. Even though, this Court has passed an order dated 20.08.2015, directing the appellants to take steps for deceased third respondent in the main appeal, till now, the appellants have not taken any steps.

2. When the matter is listed today for hearing, none appeared on behalf of the appellants either in person or through counsel. The appeal is of the year 2011 and the appellants are not interested in prosecuting the appeal by taking steps for the deceased third respondent. Hence, this Court has no other option, except to dismiss the appeal for non-prosecution.



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3. Accordingly, this Appeal Suit stands dismissed for non-prosecution. No costs. Consequently, connected miscellaneous petition is closed.

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Index:Yes/No

Internet:Yes/No

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To

- 1.The Subordinate Judge,
Aruppukottai.
- 2.The Section Officer,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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