



A.S(MD)No.113 of 2009

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.08.2022

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THE HONOURABLE MR.JUSTICE P.VELMURUGAN

A.S (MD)No.113 of 2009

1.Minor.B.Madhu Priya
(Cause title amended vide
Court Order, dated 22.07.2020)
2.Minor.Lathika Sri
(The Minor petitioners rep. by
their next friend and natural
guardian their mother
Mariammal)

... Appellants/Defendants 2 & 3

Vs.

1.Muthumuniyandi
V.Balakrishnan

... Respondent No.1/Plaintiff
... Respondents/1st Defendant

PRAYER: Appeal Suit filed under Section 96 of the Civil Procedure Code, against the judgment and decree, 07.12.2007 passed in counter claim in O.S.No.5 of 2007, on the file of the Additional District Judge (Fast Track Court) Virudhunagar.

For Appellants : No appearance
For Respondents : No appearance



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J U D G M E N T

When the matter came up for hearing on 05.08.2022, the learned counsel for the appellant would submit that the Vakalat has been returned, despite the same, Registry has printed the name of the counsel for the appellant. Therefore, this Court directed the Registry to remove the name of the counsel for the appellant from the cause list and print the name of the appellants. Today, when the matter is taken up for hearing, despite appellants name printed in the cause list, none appeared on behalf of the appellants. This shows that the appellants are not interested in prosecuting the appeal. Hence, this Court has no other option except to dismiss the appeal for non-prosecution.

2.Accordingly, the appeal suit is dismissed for non-prosecution.

No costs.

Index : Yes / No

Speaking Order : Yes / No

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To

- 1.The Additional District Judge
(Fast Track Court) Virudhunagar.
2. The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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P.VELMURUGAN, J.

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