



A.S(MD) No.197 of 2011

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.08.2022

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

A.S (MD)No.197 of 2011

and

M.P(MD) No.2 of 2011

1.Ramasamy Gounder (died)

2.K.Subramani

3.R.Chellamal

4.R.Murugesan

5.P.Saroja

(Appellants 3 to 5 are brought on record as Lrs of
the deceased first appellant vide Court order
dated 21.07.2022 made in C.M.P(MD) No.5547 of 2022
in A.S(MD) No.197 of 2011)

... Appellants

Vs.

S.Kandasamy

...Respondent



A.S(MD) No.197 of 2011

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PRAYER : Appeal Suit filed under Section 96 of the Code of Civil Procedure, to set aside the judgment and decree passed in O.S.No.60 of 2007 dated 27.07.2010 on the file of the District Court, Karur, by allowing this First Appeal.

For Appellants : No appearance

For Respondent : Mr.R.Devaraj

J U D G M E N T

When the matter came up for hearing on 10.08.2022, the learned counsel for the appellants filed a memo stating that he has no instructions from his client. The said memo was recorded on that day and this Court directed the Registry to print the name of the appellants in the cause list and remove the name of the learned counsel and the appeal was directed to be listed today i.e., on 12.08.2022. Though the name of the appellants were printed in the cause list today, none appeared on behalf of the appellants. This appeal is pending from 2011 itself and this shows that the appellants



A.S(MD) No.197 of 2011

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. Consequently, connected miscellaneous petition is closed.

12.08.2022

Index : Yes / No

Speaking Order : Yes / No

cp

To

The District Judge,

Karur.



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P.VELMURUGAN, J.

cp

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12.08.2022