



A.S(MD)No.31 of 2011

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.08.2022

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

A.S (MD)No.31 of 2011

N.Saravanan

... Appellant/Plaintiff

Vs.

1.P.Senthilkumar
Samuthiram (Died)

2.Mohan

3.Manoranjitham

4.Tamilselvi

5.Thilagam

6,Mallika

7.Manimekalai

8.Rajammal

9.Satheeshkumar

10.Vadivel

11.Girija

(Respondents 1 to 7 are given up
since they remained exparte before
the lower Court)

...Respondents/Defendants



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PRAYER: Appeal Suit filed under Section 96 of the Civil Procedure Code, against the judgment and decree, dated 24.06.2010 passed in O.S.No.209 of 2004, on the file of the Additional District Sessions Judge, Fast Track Court No.I, Thiruchirappalli.

For Appellant : Mr.R.Nandakumar
For R1 : Mr.S.Jayakumar

J U D G M E N T

When the matter came up for hearing on 25.07.2022, at request of the learned counsel for the appellant, the matter was directed to be listed on 01.08.2022 with an endorsement that 'No further adjournment will be given'. Today (01.08.2022) when the matter is taken up for hearing, the learned counsel appearing for the appellant is not ready to argue the appeal suit and he seeks adjournment through representing counsel. This appeal is pending from 2011 and till date there is no progress in the appeal, this shows that the appellant is not interested in prosecuting the appeal further. Hence, this Court has no other option except to dismiss the appeal for non-prosecution.



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

No costs. In case, if any application is filed by the appellant for restoration, the appellant should deposit a sum of Rs.1,00,000/-, unless, the Registry shall not take up any application for restoration filed by the petitioner in future.

Index : Yes / No

Speaking Order : Yes / No

01.08.2022

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To

1. The Additional District Sessions Judge,
Fast Track Court No.I,
Thiruchirappalli.

2. The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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P.VELMURUGAN, J.

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