



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.02.2021

CORAM:

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

A.S. (MD) No. 643 of 2011

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

WEB COPY

1. Karuppayee Ammal (died)
2. Ithayarajan
3. K. Murugan (Died)
4. K. Selvarani
5. K. Shanthi
6. K. Poomayil

: Appellants

Vs.

1. V. Muruganantham
2. Usharani
3. Minor Manju
4. Minor Balasivasakthi

: Respondents

(Minors respondents 3 and 4 are represented by their mother and natural guardian the second respondent herein)

(Appellant Nos. 4 to 6 are brought on record as legal representatives of the deceased first appellant vide order of this Court dated 14.09.2018 in C.M.P. (MD) .Nos. 6065 to 6067 of 2016)

(Respondent Nos. 2 to 4 are brought on record as legal representatives of the deceased third appellant vide order of this Court dated 18.07.2012 made in M.P. (MD) .No.1 of 2012 in A.S. (MD) .No. 643 of 2011)

PRAYER: Appeal is filed under Section 96 of the Code of Civil Procedure praying to set aside the judgment and decree made in O.S. No. 44 of 2008 dated 24.06.2011 on the file of the Additional District and Sessions Judge / Fast Track Court No. II, Madurai.

For Appellant : Mr. M. Thirunavukkarasu
For R-1 : Mr. D. Nallathambi
For R-2 to R-4 : Mr. B. Sivakumar

J U D G M E N T

Today, when the appeal is taken up for hearing, the learned counsel appearing for the appellants reported "No Instructions" from the appellants and a memo has also been filed to that effect.

2. It appears that the appellants are not interested in prosecuting the appeal further.



3. The above said memo is taken on record. In the result, the Appeal Suit stands dismissed for default. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Tsg

To

1.The Additional District and Sessions Judge
/Fast Track Court No.II, Madurai.

2.The Record Keeper, (2 copies)
V.R.Section,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.D.NALLATHAMBI, Advocate (SR-5523[F] dated 17/02/2021)

Judgment made in
A.S. (MD) No. 643 of 2011
15.02.2021

VB (22.02.2021) 2P 5C