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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.07.2022**

CORAM:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

A.S(MD)No.77 of 2011

and

M.P(MD)No.1 of 2011

M/s.George Paints,
a Partnership firm, through
its Partner N.G.Girahadurai. :Appellant/Defendant

.VS.

M/s.Agsar Match Industries,
a firm(Reg.No.26/1996),
having its Office at
No.510-A,George Road,
Thoothukudi, through its Partner
N.A.P.Alagappan Ramdas. :Respondent/Plaintiff

PRAYER: First Appeal filed under Section 96 of the Civil Procedure Code against the judgment and decree made in O.S.No.62 of 2004, dated 22.2.2011, on the file of the Principal District Judge, Thoothukudi.

For Appellant :No appearance

For Respondent :Mr.AR.L.Sundareshan
Senior Counsel
for Mr.S.Kadarkarai



JUDGMENT

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In the previous hearing date ie., on 21.7.2022, the learned counsel for the appellant reports "no instructions" for the appellant and hence the Registry is directed to remove the name of the appellant's counsel from the cause list and to print the name of the appellant.

2.Today, when the matter is taken up for hearing, the name of the appellant is printed in the cause list, none appears on behalf of the appellant either in person or through counsel for arguments.The learned Senior Counsel appearing for the respondent is present. This shows that the appellant is not interested in prosecuting the appeal suit further. Hence, this Court has no other option except to dismiss the appeal suit for non prosecution. Accordingly, the Appeal Suit is dismissed for non-prosecution. No costs. Consequently, connected Miscellaneous petition is dismissed.

28.07.2022

Index:Yes/No

Internet:Yes/No

vsn

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To

1. The Principal District Judge,
Thoothukudi.
2. The Section Officer,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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P.VELMURUGAN.,J.

vsn

JUDGMENT MADE IN
A.S(MD)No.77 of 2011
and
M.P(MD)No.1 of 2011

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