



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.01.2022

CORAM :

WEB COPY

**THE HONOURABLE MRS.JUSTICE S.ANANTHI**

C.M.S.A. (MD)No.29 of 2011

and

M.P (MD)No.3 of 2011

1.R.Barathy  
2.R.Nethaji  
3.R.Tagoor  
4.R.Muthulakshmi

...Appellants/Appellants/Petitioner

Vs.

1.Sri Shiymala Devi Amman Kovil,  
Milagumari Chetty Street,  
Karanthai,  
Thanjavur Town and Munsifi,  
Rep. by its Trustee Jayavel,  
S/o.Balasubramanian,  
Karanthai,  
Thanjavur Town and Munsifi.

...Respondent/Respondent/Respondent

2.A.Nadarajan

...Respondent/Respondent/Respondent

**PRAYER:** Civil Miscellaneous Second Appeal filed under Order 21 Rule 97 r/w 100 of Civil Procedure Code, to set-aside the judgment and decree, dated 29.07.2008 made in A.S.No.27 of 2007 on the file of the Additional Subordinate Judge, Thanjavur, confirming the judgment and decree, dated 20.12.2006 made in E.A.No.153 of 2004 in E.P.No.32 of 2004 in O.S.No.405 of 2002 on the file of the District Munsif Court, Thanjavur.

For Appellants :No Appearance

For Respondents :No Appearance

**JUDGMENT**

When the Civil Miscellaneous Second Appeal was taken up for hearing on 21.12.2021, there was no representation for the appellants and therefore, the matter was posted under the caption 'for dismissal' on 06.01.2022. Even today, i.e., 06.01.2022 there is no representation for the appellants.



2. In view of the same, the Civil Miscellaneous Second Appeal is dismissed for non prosecution. No costs. Consequently connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

vsd

**Note:**In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate/litigant concerned.

To

- 1.The Additional Subordinate Judge,  
Thanjavur.
- 2.The District Munsif Court,  
Thanjavur.
- 3.The Record Keeper,  
Vernacular Section,  
Madurai Bench of Madras High Court,  
Madurai.

C.M.S.A. (MD)No.29 of 2011

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06.01.2022

RK(01/02/2022) 2P 5C