



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

S.A.(MD)No.478 of 2010

WEB COPY

T.G.Memorial Trust by its Trustees

1.Maragatham

2.Pasupathy

3.Swaminathan ... Appellants / Appellants/ Plaintiffs

-Vs-

1.Sabapathy

2.Sri Aadhisankarar Educational Charitable Trust

Rep. by its Managing Trustee

M.Senthilnathan S/o Marimuth,

No.7, Jambukesavaran Nagar,

Thiruvanaikaval, Trichy Taluk & Munsif.

3.Sri Aadhisankarar Educational Charitable Trust

Rep. by its Trustee Manjula,

Thiruvanaikaval, Trichy Taluk & Munsif.

Trichy District.

... Defendants / Respondents / Respondents

PRAYER: Second Appeal filed under Section 100 of the Civil Procedure Code, against the judgment and decree made in A.S.No.49 of 2005, dated 22.12.2006 on the file of the Additional District Court, Fast Track Court No.1, Thanjavur, confirming the judgment and decree made in O.S.No.109 of 1998, dated 24.01.2005 on the file of the Principal Subordinate Court, Thanjavur.

For Appellants : Mr.S.Sivathilakar

For R1 : No appearance

For R2 & R3 : M/s.U.Nirmala Rani

JUDGMENT

The learned counsel appearing for the appellants has filed a memo stating that he could not contact the parties. It appears that one Maragatham who was one of the appellant trustees is no more.



2. Since the appellants are not ready to prosecute the case, the second appeal is dismissed for non prosecution. Registry shall entertain a petition for restoration only if a sum of Rs.25,000/- is paid as cost by the appellants to the High Court Legal Services Committee, Madurai Bench of Madras High Court, Madurai.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1.The Additional District Court, Fast Track Court No.1, Thanjavur.

2.The Principal Subordinate Court, Thanjavur.

Copy To

1. The Section Officer,
Vernacular Records,
Madurai Bench of Madras High Court,
Madurai. (2 COPIES)

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

3.The Officer Incharge,
High Court Legal Services Committee,
Madurai Bench of Madras High Court, Madurai.

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_RD(11.03.2022) 2P 7C