



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.03.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

S.A.(MD)No.904 of 2010

WEB COPY

1. Kulandai Jesu

2. Alphonse

... Appellants / Respondents 1 & 2 /
Plaintiff 1 & 2

Vs.

1. Kirakoripandian
(Died)

... Respondent / Appellant /
2nd Defendant

Late Mary Manimuthu

Late Poroshiya

2. Jemma Kalkani

... 2nd Respondent / 3rd Respondent /
3rd Plaintiff

3. Loorthu Anthonisamy

4. Suganthi

5. Lalithraj

6. Subha

7. Deepa

... Respondents 3 to 7 /
Respondents 4 to 8 /
Defendants 4 to 8

8. K.S.Amsvabh

9. G.Joseph Seleria

10.K.Lourdhu Soosaipandian

(R-8 to R-10 were *suo motu* brought on record as LR's. of
the deceased 1st respondent vide Order dated 02.03.2022)

... Respondents

Prayer: Second appeal filed under Section 100 of C.P.C.,
against the Judgment and Decree passed in A.S.No.9 of 2009 dated
08.07.2009 on the file of the Sub Court, Aruppukottai, reversing the
Judgment and Decree in O.S. No.61 of 2002 dated 11.11.2008 on
the file of the District Munsif Court, Aruppukottai.

For Appellants
R2 to R7

: No appearance.
: Givenup

For R-8 to R-10

: Mr.P.Paranthaman

**J U D G M E N T**

When this second appeal came up for hearing on 28.03.2022, there was no representation on behalf of the appellants and hence it was directed to be listed on 30.03.2022 under the caption "for dismissal". Even today, there is no representation for the appellants. Hence, this second appeal is dismissed for non-prosecution.

2. Registry shall entertain a petition for restoration only if a sum of Rs.10,000/- is paid towards cost by the appellants to the credit of High Court Legal Services Committee, Madurai Bench of Madras High Court, Madurai.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

PMU

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 Sub Judge, Aruppukottai.
2. The District Munsif, Aruppukottai.
3. The Record Keeper, V.R.Section,
Madurai Bench of Madras High Court,
Madurai.
4. The Officer Incharge,
High Court Legal Services Committee,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.P.PARANTHAMAN, Advocate (SR-15584[F] dated 31/03/2022)

S.A. (MD) No.904 of 2010
30.03.2022

SMV (CO)

KB (19.04.2022) 2P 7C

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