



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 14.12.2022

C O R A M

THE HON'BLE MRS JUSTICE N. MALA

A.S(MD)No.113 of 2015

Brabhath Singh

.. Appellant/Plaintiff

Vs.

1.Suresh Babu

2.Gnanasingamony

3.T.John Suresh Kumar

4.T.Lenin

..Respondents/Defendants

(Respondents 3 & 4 are impleaded vide Court order dated 27.09.2022 made in CMP(MD)No.4053 of 2022 in AS(MD)No.113 of 2015 by KMSJ)

PRAYER: Appeal filed under Section 96 of the Code of Civil Procedure, to set aside the decree and the judgment dated 30.01.2015 rendered in O.S.No.4 of 2009 on the file of the District Judge of Kanyakumari at Nagercoil, by allowing this Appeal.

For Appellant : No Appearance

For Respondent 1 & 2 : Mr.S.Anand Chandrasekar

For Respondent 3 : Mr.A.Sivasubramanian

**JUDGMENT**

WEB COPY It is seen from the docket sheet that the appellant is absent right from 11.11.2022. On 18.11.2022, when the matter was listed, there was no representation for the appellant. So, the matter was directed to be posted under the caption 'for dismissal' on 09.12.2022. When the matter was taken up for hearing on 09.12.2022, the learned counsel for the appellant was not present in the forenoon session so to give opportunity to the appellant, the matter was kept in pass over. In the afternoon session, the learned counsel for the appellant was present and requested this Court to post the matter today (14.12.2022). But, even today, the learned counsel for the appellant is absent.

2. In spite of repeated adjournments, the appellant is absent.

3. Therefore, it is very clear that the appellant is not interested in prosecuting the appeal.

4. Accordingly, this Appeal Suit is dismissed for non-prosecution.

No costs.

14.12.2022

Index : yes/No

Internet : yes/No



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To

1. The District Judge of Kanyakumari at Nagercoil.
2. The Section Officer, V.R.Section,
Madurai Bench of Madras High Court.



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N. MALA.J.,

dss

A.S(MD)No.113 of 2015

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