



S.A.(MD) No.730 of 2016

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.11.2022

CORAM : JUSTICE N.SESHASAYEE

S.A.(MD) No.730 of 2016
and
C.M.P.(MD) No.11648 of 2016

Moses Alagesan

... Appellant/Appellant/
Plaintiff

Vs

1.R.Pappa @ Vijayalakshmi

... 1st Respondent/Respondent/
Defendant

2.N.Solairaj

... 2nd Respondent

*[R2 – was impleaded as a party respondent vide
order dated 07.09.2020 made in C.M.P.(MD) No.
3626 of 2020 in S.A.(MD) No.730 of 2016]*

Prayer:- Appeal filed under Section 100 of Civil Procedure Code to set aside the judgment and decree dated 06.10.2016 made in A.S.No.12 of 2016 on the file of the Subordinate Court, Uthamapalayam, confirming the exparte judgment and decree dated 02.06.2016 made in O.S.No.169 of 2015 on the file of the District Munsif's Court, Uthamapalayam.

For Appellant : No appearance



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For Respondents : Mr.J.Barathan for R1
: No appearance for R2

J U D G M E N T

This matter is listed today under the caption 'notice section default cases' for want of batta regarding the first respondent.

2. Today when the matter is taken up for hearing, none appears on behalf of the appellant. The appeal is of the year 2016, and till date the appellant has not taken steps to pay the batta which shows that the appellant is not interested in prosecuting the appeal. Hence, this Court is inclined to dismiss the appeal for default. Accordingly, this Second Appeal is dismissed for default. No costs. Consequently, connected miscellaneous petition is closed.

02.11.2022

Internet: Yes
Index: Yes/No

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To

- 1.The Subordinate Judge,
Uthamapalayam.
- 2.The District Munsif,
Uthamapalayam.
- 3.The Section Officer, VR Section,
Madurai Bench of Madras High Court,
Madurai.



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N.SESHASAYEE, J.

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