



WEB COPY



A.S.No.316 of 2010

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **30.08.2023**

CORAM

THE HONOURABLE **MR.JUSTICE K.KUMARESH BABU**

A.S.No.316 of 2010

M.P.No.1 of 2010

S.Krishnamurthi

... Appellant

Vs

1.M/s.Sri Sakthi Traders
Rep., by its Proprietor
R.Dhanaraj
No.16 Vannier Street,
Kaladipet, Thiruvottiyur,
Chennai – 600 019.

2.M/s.Manickam Theatre,
Rep., by its Proprietor,
R.Dhanaraj
No.32/8, Sannadhi Street,
Kaladipet, Thiruvottiyur,
Chennai – 600 019.

3.M.Ethiraj

4.M.Damodaran

5.R.Venkatesan

6.R.Dhanaraj

7.D.Sridharan

8.Mrs.Jotheeswari

9.Mrs.Vimala

10.Mrs.Lalitha

... Respondents

PRAYER: This First Appeal has been filed under Section 96 of the Civil Procedure Code, seeking to set aside the judgment and decree



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made in O.S.No.15519/1996, dated 31.01.2008, on the file of the Additional District and Sessions Judge Fast Track Court IV, Chennai – 600 001.

For Appellants : No appearance

For Respondents : Mr.A.Balasingh Ramanujam
for RR1,2,6,8 & 9
R7, dismissed vide Court
dated 14.09.2015
No Appearance for R10
R3 to R5 died

ORDER

When the matter was taken up for hearing on previous occasions, dated 12.07.2023 and 25.08.2023, there was no representation on behalf of the appellant and therefore the matter was directed to be listed next week under the caption "for dismissal".

2. Even today, when the matter was taken up for hearing, there is no representation on behalf of the appellant. Thus, it is clear that the appellant is not interested in diligently prosecuting the matter. Hence, the Appeal Suit is dismissed for non-prosecution. Consequently connected Miscellaneous Petition is closed. There shall be no order as to costs.



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K.KUMARESH BABU,J.

pbn

To

Additional District and Sessions Judge Fast Track Court IV, Chennai –
600 001

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