



WEB COPY



A.S.No.953 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 25.01.2023**

CORAM:

**THE HONOURABLE MR.JUSTICE S.S.SUNDAR**

**AND**

**THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN**

**A.S.No.953 of 2015**

Ganesh Manjal Mandi  
Represented by its Proprietor  
A.S.Ganesh, S/o.Senniappa Chettiar,  
Asari Thottam, Avvaiyarpalayam,  
Kalingiam Post, Gobichettipalayam Taluk  
Presently residing at Bio Complex Road,  
Yelur (Cusba and Post)  
Kullappa Naickenpalayam,  
Gobichettipalayam Taluk

...Plaintiff/Appellant

-Vs-

1.The Divisional Manager,  
The New India Assurance Co. Ltd.,  
Divisional Office,  
1360, E.V.N. Road, Erode 638 011.

2.The Branch Manager,  
The New India Assurance Co. Ltd.,  
Branch Office, 12, New Hospital Road,  
Gobichettipalayam.

...Defendants/Respondents

**Prayer:-** Appeal Suit filed under Section 96 r/w Order 41 Rule 1 and 2 of C.P.C., against the judgment and decree dated 10.02.2014 made in O.S.No.198 of 2006 passed by the learned II Additional District Judge, Erode.



WEB COPY



A.S.No.953 of 2015

For Appellant : No appearance  
For R1 and R2 : Mr.S.R.Sundar

### **JUDGMENT**

[Judgment of the Court was made by **S.S.SUNDAR, J.,**]

Earlier when the matter came up for hearing, the learned counsel appearing for the appellant filed a Memo dated 08.04.2022 to withdraw his vakalat, and this Court issued notice to the appellant by order dated 22.09.2022.

2.Despite notice being served on the appellant on 20.10.2022, no one appeared on behalf of the appellant. Since notice has already been served on the appellant and there is no representation for the appellant, the appeal is liable to be dismissed for non prosecution.

3.Accordingly, the appeal stands dismissed for non prosecution. No costs.

[SSSRJ] [AANJ]  
25.01.2023

cda



A.S.No.953 of 2015

WEB COPY

To

1.A.S.Ganesh,  
Proprietor,  
Ganesh Manjal Mandi  
Asari Thottam, Avvaiyarpalayam,  
Kalingiam Post, Gobichettipalayam Taluk  
Presently residing at Bio Complex Road,  
Yelur (Cusba and Post)  
Kullappa Naickenpalayam,  
Gobichettipalayam Taluk

2.The Divisional Manager,  
The New India Assurance Co. Ltd.,  
Divisional Office,  
1360, E.V.N. Road, Erode 638 011.

3.The Branch Manager,  
The New India Assurance Co. Ltd.,  
Branch Office, 12, New Hospital Road,  
Gobichettipalayam.

4.The Section Officer, VR Records,  
High Court, Chennai.



WEB COPY



A.S.No.953 of 2015

**S.S.SUNDAR, J.,**

**AND**

**A.A.NAKKIRAN, J.,**

cda

A.S.No.953 of 2015

25.01.2023