



S.A.No.959 of 2001

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.06.2023

CORAM:

THE HONOURABLE MRS.JUSTICE R. HEMALATHA

S.A.No.959 of 2001 &
C.M.P No.9989 of 2001

1. Angammal
2.Thangamani
3.Balasubramanian
4.Jayanthi

... Appellants

..Vs..

1.Murugappan @ Murugesan
2.Nachammal
3.Murugappa Mudali
4.Angammal
5.Mayangathal
6.Pattakkal
7.Chinnammal
8.Pappathi
9.Rajamani
10.M.Ganesan
11.M.Dhanasekaran
12.Saroja
13.M.Thirugnanasambantham

... Respondents

(Respondents 2, 5 & 8 were set *ex parte* before the Courts below. Hence, notice not necessary in this second appeal)

(Respondents 9 to 13 brought on record as LR's of the deceased R3 viz., Murugappa Mudali vide Court order dated 16.11.2018 made in C.M.P.No.19951/2017 in S.A.No.959/2001)



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PRAYER : Second Appeal filed under Section 100 C.P.C., against the decree and judgment dated 04.08.2000 in A.S.No.37 of 1998 on the file of the Principal Sub Court, Gobichettipalayam, reversing the decree and judgment in O.S.No.54 of 1987 dated 27.02.1998 on the file of the District Munsif Court, Sathyamangalam.

For Appellants : No appearance

For RR1, 10 & 11 : No appearance

For RR2, 5 & 8 : *Ex parte*

JUDGMENT

When the matter is taken up for hearing today, there is no representation on behalf of the appellants.

2. A perusal of the records shows that the order passed by this Court on 14.12.2022 has not been complied with by the appellants with regard to payment of batta for the respondents 7, 9 to 13. Since the second appeal is of the year 2001, I do not find any reason to keep the appeal pending. In view of the same, the Second Appeal is dismissed for non prosecution. No costs. Consequently connected Civil Miscellaneous Petition is closed

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Index : Yes/No
Internet : Yes/No
bga

R. HEMALATHA, J.

bga

To

1. The Principal Sub Court, Gobichettipalayam.
2. The District Munsif Court, Sathyamangalam.
3. The Section Officer, V.R. Section, High Court, Madras.

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