



S.A.No.34 of 2004

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.06.2023

CORAM:

THE HONOURABLE MRS.JUSTICE R. HEMALATHA

S.A.No.34 of 2004

1. Muniyammal
2. Anbukumar
3. Kuselan
4. Bargunan
5. Sakunthala

... Appellants

..Vs..

1. Rasu
 2. Vairakannu
 3. Rajagopal
 4. Kothandapani
 5. Govindaraj
 6. Gunasekaran
 7. Kaliyaperumal
 8. Arumugam
 9. Palaniyandi
 - 10.Selvamani
 - 11.Sinnu
 12. Kannu
 13. Jeyaraman
 14. Chandran
 15. Narayanasami
 16. Moorthy
- Respondents

...

Respondents 5 to 7, 10 to 13 & 15 were set ex parte before the first appellate court. Hence they are given up in this second appeal also.



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PRAYER : Second Appeal filed under Section 100 C.P.C., against the decree and judgment dated 23.09.1998 in A.S.No.7 of 1998 on the file of the Additional District Judge, Nagapattinam, upholding the decree and judgment in O.S.No.24 of 1993 dated 19.09.1996 on the file of the District Munsif, Nagapattinam.

For Appellants : No appearance

For R1 to R3 & R8 : No appearance

R5 to R7, R10 to R13 & R15 : Given up

JUDGMENT

When the matter is taken up for hearing today, the counsel on record for the appellants is not present. The present second appeal is filed against the concurrent findings rendered by both the courts below. Since the second appeal is of the year 2004, I do not find any reason to keep the appeal pending.

2. In the circumstances, the Second Appeal is dismissed for non prosecution. No costs.

30.06.2023

Index : Yes/No

Internet : Yes/No



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To

1. The Additional District Judge, Nagapattinam.
2. The District Munsif, Nagapattinam.
3. The Section Officer, V.R. Section, High Court, Madras.



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R. HEMALATHA, J.
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