



S.A.No.862 of 2010 & M.P. No.1 of 2010

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.04.2023

CORAM:

THE HONOURABLE MRS.JUSTICE R. HEMALATHA

S.A.No.862 of 2010 &
M.P. No.1 of 2010

R. Ramalingam

... Appellant

..Vs..

1. Kaliyaperumal
2. Elangovan
3. Sellamuthu
4. Pichai ammal
5. Sumathi
6. Dhanam
7. Alagammal
8. Kathayee
9. Rajagopal
10. Thangarasu
11. Arumugam
12. Bokkiashammal
Respondents

...

PRAYER : Second Appeal filed under Section 100 C.P.C., against the decree and judgment dated 21.04.2006 in A.S.No.102 of 2003 on the file of the Additional Subordinate Judge, Vidudhachalam, partly allowing the decree and judgment in O.S.No.13 of 1996 dated 28.04.2003 on the file of the District Munsif cum Judicial Magistrate Court, Titakudi.

For Appellant : No appearance

R1 & R11 : died

R2 to R10 & R12 : Exparte.



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JUDGMENT

When the matter is taken up for hearing today, counsel on record for the appellant is not present. Mr. S. Magesh (Enrolment No. 1067/17), who is representing on behalf of the counsel on record for the appellant, does not know the facts of the case.

2. A perusal of the records shows that the 11th respondent died long back and till date no steps have been taken by the appellant and the appeal has not also been admitted so far. Since the second appeal is of the year 2010, 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 miscellaneous petition is dismissed.

20.04.2023

Index : Yes/No
Internet : Yes/No
bga



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To

1. The Additional Subordinate Judge, Vidudhachalam.
2. The District Munsif cum Judicial Magistrate Court, Titakudi.
3. The Section Officer, V.R. Section, High Court, Madras.



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R. HEMALATHA, J.
bga

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