



S.A.No.1051 of 2005

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20..03..2023

Coram

THE HON'BLE MR JUSTICE V. LAKSHMINARAYANAN

Second Appeal No.1051 of 2005

The Madras Puruasawalkam Hindu Janopakara
Saswath Nidhi,
Rep. by its Secretary,
No.168, Vellala Street,
Purusawalkam, Chennai 600084.

..... Appellant / 2nd Respondent / 2nd Defendant

-Versus-

1.V.Premavathi

..... 1st Respondents / Appellant / Plaintiff

2.K.Rajeswari

..... 2nd Respondent / 1st Respondent / 1st Defendant

Appeal filed under Section 100 of C.P.C. against the judgment and decree dated 12.03.2004 in A.S.No.113 of 2022 on the file of the III Additional Judge, City Civil Court, Chennai, setting aside the judgement and decree dated 04.01.2022 in O.S.No.7645 of 1995 on the file of the learned XV Assistant Judge, City Civil Court, Chennai.



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*For Appellant : Mr.P. Goklaney
for M/s.Menon & Goklaney
Associates*

For Respondents : No Appearance for R1

*Second Appeal dismissed as
against R2 vide order dated
15.12.2022*

JUDGEMENT

This Second Appeal was listed on 15.03.2023. There was no representation on that date on behalf of the respondent. Therefore, this matter was directed to be called on 16.03.2022. On that date, it was presented by Mr.P.Goklaney, learned counsel that the bundles had been handed over to Mr.Ashok Menon. Therefore, Mr.Ashok Menon was informed to get instructions and get ahead with the appeal and it was directed to be posted today.

2. Today, Mr.Ashok Menon has filed a memo stating that bundles had been returned to the party and he is not in a position to get ahead with the appeal. The memo filed on behalf of the appellant by the learned counsel for Appellant reads as follows:-

MEMO FILED ON BEHALF OF THE APPELLANT

On behalf of the Appellant, it is humbly submitted as follows:

1. The counsel for the Appellant in the above



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case is M/s.Menon & Goklaney Associates having its office at No.321, (Old No.15), Linghi Chetty Street, Chennai 600001.

2. After the firm M/s.Menon & Goklaney Associates was dissolved in 2007, the case was retained by one of the erstwhile partners of Mr.Prakash Goklaney, Advocate.

3. It is informed by Mr.Prakash Gokalaney, Advocate that he has handed over the case bundle to the client long ago.”

3. Recording the memo, this Second Appeal is dismissed for default.

20..03..2023

Index : yes / no
Neutral Citation : yes / no
Speaking / Non Speaking Order
kmk

- 1.The III Additional Judge, City Civil Court, Chennai
- 2.The XV Assistant Judge, City Civil Court, Chennai.



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V.LAKSHMINARAYANAN, J.

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