



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.07.2023

CORAM :

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

C.M.A.No.2813 of 2016

and

C.M.P.No.20427 of 2016

S.Nityananthan

... Appellant /Petitioner

Vs.

1. S.Periyasamy

2. State of Tamil Nadu,

by its District Collector,

Erode District, Erode – 11.

... Respondents/respondents

Civil Miscellaneous Appeal filed under Order XLIII Rule 1 of the Code of Civil procedure, against the Order and Decree dated 06.10.2016 made in P.O.P.No.89 of 2015 on the file of the I Additional District Judge, Erode.

For Appellant : Mr.M.N.Kathir (No appearance)

For Respondents : No appearance

JUDGMENT

Earlier, this matter was posted on 20.06.2023, there was no representation on behalf of the appellant and hence, the matter was posted on 05.07.2023 and the matter was again called on 05.07.2023, there was no

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representation for the appellant and thereafter, the matter was directed to be posted today (10.07.2023) under the caption “for dismissal”.

2. Even today (10.07.2023), when the matter is called, again there is no representation on behalf of the appellant. It shows that the appellant is not interested to proceed the case further. Hence, this Court has no other option except to dismiss the same.

3. Accordingly, this Civil Miscellaneous Appeal stands dismissed for default. No costs. Consequently, the connected miscellaneous petition is closed.

11.07.2023

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Index: Yes/No

Speaking Order : Yes/No

Neutral Citation Case : Yes/No

To

1. The I Additional District Judge,
Erode.
2. The Section Officer,
VR Section, High Court, Madras.

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