



CMSA.No.7 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.12.2023

CORAM:

THE HON'BLE MR.JUSTICE **M.DHANDAPANI**

CMSA.No.7 of 2017

and

CMP.No.2083 of 2017

Lachumi

...Appellant

Vs.

1. Sekar alias Venkat Raju (*died*)
2. R.M.Murugan
3. Amirthavalli
4. Thulasikamaraj
5. Indira
6. Kasthuri
7. Venkataramanan

...Respondents

(R3 to R7 brought on record as LR's of the deceased R1, vide order of this Court dated 11.03.2021 made in CMP.Nos.3093, 3096 and 3089 of 2020 in CMSA.No.7 of 2017)



CMSA.No.7 of 2017

Civil Miscellaneous Appeal filed under Order 21 Rule 58 of C.P.C r/w. Section 100 C.P.C, seeking to set aside the fair and decreetal order of the Hon'ble Principal District Judge, Salem dated 22/07/2009 made in A.S.No.70 of 2008 reversing the judgement made in R.E.A.No.75 of 2003 in R.E.P.No.26 of 2000 in O.S.No.77 of 1998 on the file of the Sub Court, Mettur.

For Appellants : Mr.M.R.Jothimanian

For Respondents : Mrs.Hemasampath, Sr.C,
for M/s.R.Meenal, for R3 to R7

JUDGMENT

When the matter was taken up for hearing, the learned counsel for the appellant submitted that, despite his genuine efforts, he is unable to get instructions from the appellant and sought for adjournment.

2. However, considering the long pendency of this Civil Miscellaneous Appeal and the inability to get instruction from the appellant, it is evident that the appellant is not interested to prosecute the appeal and therefore, no useful purpose would be served in keeping this Civil Miscellaneous Appeal pending.



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WEB COPY 3. Accordingly, this Civil Miscellaneous Appeal stands dismissed for non-prosecution. No costs. Consequently, connected Miscellaneous Petition is closed.

11.12.2023

skt

Index	: Yes/No
Speaking order	: Yes/No
NCC	: Yes/No



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