



S.A.No.901 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.03.2023

CORAM : JUSTICE N.SESHASAYEE

S.A.No.901 of 2022
and CMP.No.18663 of 2022

Haja Bakurudeen

... Appellant / Appellant /1st Defendant

Vs.

1.Sirajudeen

2.The Trustees of Nagoor Dhargha
K.Alavudheen (Rtd. IAS Officer) &
F.Akbar (Rtd. District Judge)
Kaspa Nagoor, Nagapattinam Taluk
Nagapattinam.

... Respondents / Respondents / Plaintiff ,
2nd Defendant

Prayer : Second Appeal filed under Section 100 of the Code of Civil Procedure praying to set aside the judgment and decree dated 20.09.2021 made in A.S.No.46 of 2014 on the file of Subordinate Court at Nagapattinam confirming the judgement and decree of the District Munsif Court at Nagapattinam dated 20.10.2014 in O.S.No.232 of 2011.

For Appellant : M/s.PV Law Associates
(No Appearance)

For Respondents : Mr.V.Raghupathi for R1



S.A.No.901 of 2022

WEB COPY

JUDGMENT

When the matter was taken up during admission in the morning, it was represented that the counsel for the appellant was held up in some other Court, therefore the matter was passed over. When the matter was taken up at 1.25 p.m. again, there was no representation for the appellant.

2 In the meantime, the Court perused the notes paper of the Court, wherein it is seen recorded in the order of the Court dated 06.12.2022 that the appellant only required time to vacate the premises. It is almost 3½ months since the appellant counsel has made the statement.

3. When the matter came up before this Court on 23.03.2023, again the same act was enacted yesterday too. To state it differently, the case was asked to be passed over when the matter was taken up for admission at the request of the appellant, but the appellant counsel never turned thereafter. This Court perused the papers and finds that there is no substantial questions of law involved and hence, the present second appeal is



S.A.No.901 of 2022

dismissed. Consequently, connected miscellaneous petition is closed.

WEB COPY

24.03.2023

Index : Yes / No

Speaking order / Non-speaking orders

To:

1.The District Munsif
Nagapattinam.

2.The Sub Judge
Nagapattinam.

3.The Section Officer
VR Section
High Court, Madras.



WEB COPY



S.A.No.901 of 2022

N.SESHASAYEE.J.,
ds

S.A.No.901 of 2022

24.03.2023