



WEB COPY



CMP No. 381 of 2023
in S.A No. 598 of 2018

T.V.THAMILSELVI, J.

When the matter is taken up for hearing, the learned counsel for the appellant submits that he was not aware about that the matter was posted under the caption for dismissal on 09.11.2022. Hence, prays to restore the second appeal.

2. The learned counsel for the respondent submitted that since the respondent took possession of the property, hence appellant have no defence to proceed this second appeal.

3. Considering the fact that due to lack of communication the appellant was not able to follow the appeal proceedings on the date of appeal posted under the caption for dismissal. Hence, the reason assigned by the appellant is acceptable. Accordingly, S.A No. 598 of 2018 is restored.

4. Post the matter on 02.08.2023.

06.07.2023

pbl