



S.A(MD)No.219 of 2013

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.06.2023

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

S.A(MD)No.219 of 2013 &
M.P(MD)No.1 of 2013

Lazar

...Appellant

vs.

Santhanaperumal
Through his Power Agent,
Sudalai (Died)

... Respondent

(Death of the Power Agent is recorded vide Court Order dated 20.01.2023 in S.A(MD)No.219 of 2013)

Prayer: Second Appeal filed under Section 100 of the Code of Civil Procedure against the Judgment and Decree dated 29.11.2012 in A.S.No. 69 of 2012 on the file of the Principal Sub Court, Tirunelveli confirming the Judgment and Decree dated 20.02.2012 in O.S.No.649 of 2008 on the file of the II Additional District Munsif Court, Tirunelveli.



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For Appellant : No appearance

For Respondent : Mrs.K.Bhuvaneswari

JUDGMENT

The learned counsel appearing for the appellant has filed a Memo dated 16.06.2023 reporting 'no instructions'. On 19.06.2023, Memo was recorded by this Court and the Registry was directed to remove the name of the counsel on record for the appellant and print the name of the appellant.

2. Today the name of the appellant is printed in the cause list. However, there is no representation for the appellant. Despite sufficient opportunity being given to the appellant, he has not come forward to proceed with the appeal effectively. Therefore, this Court has no other option except to dismiss the appeal for non-prosecution. Accordingly, this Second Appeal is dismissed for non-prosecution with cost of Rs. 1,00,000/- (Rupees One Lakh only) payable by the appellant to the



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Registry to the credit of S.A(MD)No.219 of 2013. Consequently, the connected Miscellaneous Petition is closed. In case, the appellant files any application to restore the appeal, Registry is directed not to take the application on file unless the appellant deposits the cost imposed by this Court.

22.06.2023

NCC:Yes/No

Index:Yes/No

Speaking/Non-speaking order

mbi

To

- 1.The Principal Sub Court, Tirunelveli.
- 2.The II Additional District Munsif Court, Tirunelveli.
- 3.The Vernacular Records Section,
Madurai Bench of Madras High Court,
Madurai.



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P.VELMURUGAN, J.

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