



S.A.(MD)No.929 of 2005

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.09.2023

CORAM:

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

S.A.(MD)No.929 of 2005
and
C.M.P.(MD)No.5996 of 2005

Esakki ... Appellant / Respondent / Plaintiff

-Vs-

1.Dhanushkodi (died) ... 1st Respondent / Appellant / Defendant

2.Petchiammal

3.C.Petchiammal

4.S.Valli

5.M.Arunthavasu ... Respondents 2 to 5

(Respondents 2 to 5 are brought on record as LRS of the deceased sole respondent vide Court order dated 30.06.2023 in M.P.(MD)Nos.1 to 3 of 2011 in S.A.(MD)No.929 of 2005)

PRAYER: Second Appeal is filed under Section 100 of the Code of Civil Procedure to set aside the judgment and decree of the Principal Subordinate Court, Tirunelveli, dated 07.10.2004 made in A.S.No.56 of 2004, setting aside the judgment and decree of the learned Principal District Munsif, Tirunelveli, dated 10.12.2003 made in O.S.No.483 of 1998.

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For Appellant : Mr.RT.Arivukumar
for Mr.S.Meenakshi Sundaram
For Respondents : No Appearance

JUDGMENT

Today, when the matter is taken up for hearing, the learned counsel for the appellant reported 'no instructions'. It shows that the appellant is not interested in pursuing this appeal. Therefore, this Court has no other option except to dismiss this appeal for non-prosecution. Accordingly, this Second Appeal stands dismissed for non-prosecution. No costs. Consequently, connected miscellaneous petition is closed.

11.09.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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To

- 1.The Principal Subordinate Judge,
Tirunelveli.
- 2.The Principal District Munsif,
Tirunelveli.
- 3.The Record Keeper,
V.R.Section,
Madurai Bench of Madras High Court,
Madurai.



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KRISHNAN RAMASAMY, J.

Yuva

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