



S.A.(MD)No.658 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.04.2023**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

S.A.(MD)No.658 of 2022

and

C.M.P.(MD)No.9326 of 2022

Velusamy (died)

1.Backiyalakshmi

2.Manohar

3.Sugumaran

... Appellants

/Vs./

Sankara Balasaraswathi (died)

1.Gomathi

2.Chandra

3.Janaki

4.Ananda Pushpam

5.Thirumalaikumar

6.Sankar

7.Karthick

... Respondents



S.A.(MD)No.658 of 2022

PRAYER: Second Appeal filed under Section 100 of the Civil Procedure Code to set aside the judgment and decree passed in A.S.No.38 of 2016, on the file of the Additional Sub Court, Tenkasi, dated 26.10.2021 confirming the judgment and decree passed in I.A.No.332 of 2004 in O.S.No.124 of 2004 on the file of the Principal District Munsif Court, Tenkasi, dated 25.01.2008.

For Appellants : Mr.R.Gohul

JUDGMENT

This matter is listed under the caption 'For Dismissal' today. The learned counsel appearing for the appellants reports no instructions in this matter. The said statement is recorded.

2. This matter is listed before me for the fourth time. Several adjournments have already been granted to the appellants. This second appeal has also been filed challenging the concurrent findings of the Courts below. It can now be inferred that the appellants are not interested in prosecuting the Second Appeal. Accordingly, this Second Appeal is



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dismissed for non-prosecution. There shall be no order as to costs.

Consequently, connected Miscellaneous Petition is closed.

28.04.2023

Index : Yes / No
NCC : Yes / No
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TO:

- 1.The Additional Sub Court, Tenkasi.
- 2.The Principal District Munsif Court, Tenkasi.
- 3.The Section Officer,
VR Section, Madurai Bench of Madras High Court,
Madurai.



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ABDUL QUDDHOSE, J.

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Judgment made in
S.A.(MD)No.658 of 2022

Dated:
28.04.2023