



S.A.(MD)No.233 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **09.06.2023**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

S.A.(MD)No.233 of 2023

and

C.M.P.(MD)No.4998 of 2023

P.Thenmozhi

... Appellant

/Vs./

1.S.Kathiravan

2.The Assistant Electrical Engineer,
Tamil Nadu Electricity Board,
Keeranur South,
Kulathur Taluk,
Pudukkottai District.

3.The Executive Engineer,
Tamil Nadu Electricity Board,
Keeranur South,
Kulathur Taluk,
Pudukkottai District.

4.The Supervising Engineer,
Tamil Nadu Electricity Board,
Pudukkottai District.

... Respondents



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PRAYER: Second Appeal filed under Section 100 of the Civil Procedure Code to set aside the judgment and decree passed in A.S.No.20 of 2017, on the file of the Principal District Court, Pudukkottai dated 17.12.2019 partly allowed but confirming the judgment and decree passed in O.S.No. 3 of 2006 on the file of the Subordinate Court, Pudukkottai dated 15.09.2017 in respect of first item of suit schedule property and allow the Second Appeal.

For Appellant : No appearance

For Respondents : Mr.N.Balakrishnan (R1)

JUDGMENT

This matter is listed under the caption 'For Dismissal' today. There is no representation on the side of the appellant once again.

2. Even on the last hearing date, ie., on 02.06.2023, when the matter was listed before me for the third time, there was no representation on the side of the appellant and that is the reason for posting the matter for dismissal today.



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3. As seen from the earlier proceedings also, the learned counsel appearing for the appellant has been repeatedly seeking adjournments. The learned counsel appearing for the first respondent is present. It can now be inferred that the appellant is not interested in prosecuting the Second Appeal. Accordingly, this Second Appeal is dismissed for non-prosecution. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

09.06.2023

Index : Yes / No

NCC : Yes / No

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TO:

1.The Principal District Court, Pudukkottai.

2.The Subordinate Court, Pudukkottai.

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.233 of 2023

Dated:
09.06.2023