



*S.A.(MD)No.389 of 2018*

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **23.03.2023**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

S.A.(MD)No.389 of 2018

and

C.M.P.(MD)No.11039 of 2018

Sheikdhawood

... Appellant

/Vs./

Ummuraliyabeevi (Died)

1.Noorkumar

2.Seeniseidhakathi

3.Barakkathinisha

4.Nihmathul Ayin

5.Jennathul Fathima

6.Anwar Ali

... Respondents

PRAYER: Second Appeal filed under Section 100 of the Civil Procedure Code to set aside the judgment and decree passed in A.S.No.12 of 2011, on the file of the learned Additional District Judge, Ramanathapuram, dated 16.02.2016 confirming the judgment and decree passed in O.S.No.8 of 2009 on the file of the Sub Court, Ramanathapuram, dated 06.07.2011.



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For Appellant : No appearance

For Respondents : Mr.T.R.Jeyapalam

### **JUDGMENT**

This matter is listed under the caption 'For Dismissal' today. As early as on 04.12.2018, the learned counsel appearing for the appellant had reported no instructions in this matter. The matter was listed once again on 21.03.2023. The name of the appellant was also printed in the cause list on that date.

2. Even on 21.03.2023, there was no representation on the side of the appellant. The appellant has also not engaged any new counsel in place of the earlier counsel on record, who had reported no instructions as early as on 04.12.2018. Therefore, this Court, on 21.03.2023, directed the Registry to post the matter 'For Dismissal' today. Accordingly, this matter has been posted under the caption 'For Dismissal' today.



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3. Since there is no representation on the side of the appellant even today, 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.

**23.03.2023**

Index : Yes / No

NCC : Yes / No

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**TO:**

- 1.The Sub Judge, Ramanathapuram.
- 2.The Additional District Judge, Ramanathapuram.
- 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.389 of 2018**

Dated:  
**23.03.2023**