



S.A(MD).No.367 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 18.04.2023

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

S.A.(MD)No.367 of 2017
and C.M.P(MD)No.7848 of 2017

1.K.Meenakshi Ammal @ Baby
2.K.Nagarethinam @ Ashokkumar
3.K.Sakthivel Appellants/Respondents/Defendants

Vs.

1.G.Satharam
2.G.Kumar ... Respondents/Appellants/Plaintiffs

Prayer : Second Appeal is filed under Section 100 of Code of Civil Procedure, against the judgment and decree dated 23.01.2017 passed in A.S.No.106 of 2005 on the file of the Principal District Judge, Tiruchirappalli reversing the judgment and decree dated 09.12.2004 passed in O.S.No.324 of 1996 on the file of the II Additional Subordinate Judge, Tiruchirappalli.

For Appellants : Mr.G.Ethirajulu
For Respondents : No appearance

J U D G M E N T

The learned counsel for the appellants has filed a memo dated 18.04.2023, which is taken on record by this Court. As per the said memo, the learned counsel for the appellants is reporting no instruction in this



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matter. In accordance with the memo, the vakalat of the learned counsel for the appellants stands withdrawn. Till date, steps have not been taken by the the appellants to bring on record the legal heirs of the deceased second appellant, who was reported dead earlier. The Second Appeal is of the year 2017. It was made clear in the order dated 16.03.2023 that if steps are not taken to bring on record the legal heirs of the deceased second appellant before the next hearing date, this Second Appeal shall stand automatically dismissed for non-prosecution. In accordance with the said order, after recording the memo filed by the learned counsel for the appellant dated 18.04.2023, reporting no instruction, this Second Appeal is dismissed for non-prosecution. No costs. Consequently, connected miscellaneous petition is closed.

18.04.2023

Index : Yes/No
Internet: Yes/No
CM

To,

- 1.The Sub Court, Manamadurai, Sivagangai District
2. The Principal District Munsif Court, Manamadurai, Sivagngai District.
- 3.The Section Officer,

VR Section,

Madurai Bench of Madras High Court, Madurai.



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ABDUL QUDDHOSE, J.

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