



S.A.(MD)No.467 of 2017

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **20.03.2023**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

S.A.(MD)No.467 of 2017

and

C.M.P.(MD)No.9806 of 2017

1.R.Lakshmana Gowder

2.L.Murugan

... Appellants

/Vs./

1.Padmini

2.Nagarathinam

... Respondents

PRAYER: Second Appeal filed under Section 100 of the Civil Procedure Code to set aside the judgment and decree, dated 31.07.2017 made in A.S.No.5 of 2016, on the file of the Additional District and Sessions Court, Theni, at Periyakulam reversing the judgment and decree, dated 30.01.2014 made in O.S.No.129 of 2009 on the file of the Sub Court, Theni.



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For Appellants : No appearance
For Respondents : Mr.P.Mahendran (R1)
Mr.V.Nagarajan (R2)

JUDGMENT

This matter is listed under the caption 'For Dismissal' today.

2. The learned counsel representing the counsel on record for the appellants submits that the counsel on record, Mr.V.Sitharanjandas is no more.

3. The same submission was made on the last hearing date ie., on 06.03.2023 as well. Till date, steps have not been taken to bring on record the legal representatives of the deceased first appellant and the second appeal is of the year 2017.



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4. As sufficient adjournments have been given to bring on record the legal representatives of the deceased first appellant and till date, steps have not been taken, it can be inferred that the appellants are not interested in prosecuting this 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.

20.03.2023

Index : Yes / No

NCC : Yes / No

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TO:

- 1.The Additional District and Sessions Court, Theni, at Periyakulam.
- 2.The Sub Court, Theni.
- 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.467 of 2017

Dated:
20.03.2023