



S.A(MD).No.475 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 08.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

S.A.(MD)No.475 of 2017
and C.M.P(MD)No.10032 of 2017

1. Durairaj
2. Charlet

.... Appellants/Respondents 1 & 2/
Defendants 1 & 2

Vs.

1. Ravichandran .. 1st Respondent/Appellant/Plaintiff
2. Jayasingh .. 2nd Respondent/2nd Respondent/3rd Defendant

Prayer : Second Appeal is filed under Section 100 of Code of Civil Procedure, against the judgment and decree dated 22.01.2016 passed in A.S.No.04 of 2012 on the file of the II Additional Subordinate Judge, Nagercoil @ Camp Court, Kulithurai, reversing the judgment and decree dated 19.10.2011 passed in O.S. No.440 of 2004 on the file of the I Additional District Munsif (in-charge), Kulithurai.

For Appellants : Mr.N.Dilip Kumar
For R1 & R2 : No appearance

J U D G M E N T

The matter is listed before me for the 5th time. As seen from the earlier proceedings, the learned counsel for the appellants has been repeatedly seeking adjournments in this matter. The Second Appeal is of the year 2017.



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2. On the last hearing date i.e on 21.04.2023, the learned counsel for the appellants sought an adjournment on the ground that he has to receive an instructions from his clients and he also informed this Court that he is unable to contact his clients. Since the learned counsel for the appellants has been repeatedly seeking adjournments, this Court after recording the aforesaid submission of the learned counsel for the appellants on 21.04.2023 adjourned the matter to 08.06.2023 i.e today for dismissal.

3. Even today, the learned counsel for the appellants is not ready despite the fact that the Second Appeal is listed under the caption 'for dismissal'. It can now be inferred that the appellants are not interested in prosecuting the Second Appeal. Accordingly, this Second Appeal is dismissed for non-prosecution. No costs. Consequently, connected miscellaneous petition is closed.

08.06.2023

Index : Yes/No
Internet: Yes/No
CM



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To

1.The II Additional Subordinate Judge, Nagercoil @ Camp Court,
Kulithurai

2. The I Additional District Munsif (in-charge), Kulithurai.

3.The Section Officer,

VR Section, Madurai Bench of Madras High Court, Madurai.



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ABDUL QUDDHOSE, J.

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