



S.A.(MD).No.523 of 2017

THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **12.12.2023**

CORAM:

THE HONOURABLE **MRS.JUSTICE S.SRIMATHY**

S.A.(MD).No.523 of 2017

and

C.M.P(MD)No.11278 of 2017

Gomathy

... Appellant

/Vs./

1. Vethanayagam Pillai

Balakrishnan (died)

2. Subbaiah Sundaram

Kala (Died)

3. Arumugaraj

Chinnasankarasubbu(Died)

4. Sankara Avudaiyammal

5. Shanmugavadivu

6. Chellapandian

...Respondents

PRAYER: Second Appeal filed under Section 100 of the Civil Procedure Code to set aside the Decree and Judgment dated 01.03.2017 in A.S.No.57 of 2011 on the file of the I Additional District Court, Thoothukudi, reversing the decree and judgment, dated 27.08.2009



S.A.(MD).No.523 of 2017

passed in O.S.No.154 of 2007 on the file of the Principal District Munsif Court, Srivaikundam.

For Appellant : Mr.G.Prabhu Rajadurai

For Respondents : Mr.M.P.Senthil, for R-1 to R-3

No appearance for R-4 to R-6

JUDGMENT

Today, when the matter is taken up for hearing, the Learned Counsel appearing for the Appellant reported that there is 'No instructions'. The statement is recorded.

2. Recording the aforesaid submission, this Second Appeal is dismissed as non-prosecution. No Costs. Consequently, connected miscellaneous petition is closed. However, the Appellant is at liberty to restore the Second Appeal, if so advised.

12.12.2023

Index : Yes / No

NCC : Yes / No

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S.A.(MD).No.523 of 2017

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TO:

1. The I Additional District Court,
Thoothukudi.
2. The Principal District Munsif Court,
Srivaikundam.
3. The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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S.A.(MD).No.523 of 2017

S.SRIMATHY, J.

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Judgment made in
S.A.(MD)No.523 of 2017

12.12.2023