



S.A.(MD).No.87 of 2017

WEB COPY

THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **18.10.2023**

CORAM:

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

S.A.(MD).No.87 of 2017

and

C.M.P.(MD)No.1605 of 2017

Periyasamy

... Appellant

/Vs./

1. Chandra

2. Pushpam

3. Palkani

4. Thangakani

5. Selvaraj

6. Sebastian

7. Jeyapandian

8. Esther

9. Anbu Susila

10. S.Jeyapaul

11. Susiaraj

...Respondents

PRAYER: Second Appeal filed under Section 100 of the Civil Procedure Code to set aside the Decree and Judgment in A.S.No.109 of 1999 passed by the Learned Additional District Judge-III, Tuticorin dated 15.09.2016 and confirming the Decree and Judgment in O.S.No.295 of 1991 passed



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by the Learned Subordinate Judge, Tuticorin, dated 28.11.1997 by allowing this Second Appeal.

For Appellants : No appearance

For R-1 : Mr.S.Ramesh @ Ramaiah

JUDGMENT

In an earlier occasion, there was no representation on the side of the Appellant. Since the Appellant has not represented either by Counsel or by himself to prosecute the matter, this case was posted today (i.e. on 18.10.2023) under the caption 'for dismissal'. Today also the Appellant is not represented by his Counsel and he is not present in person, which shows that the Appellant is not interested in prosecuting the Second Appeal.

2. Hence, the Second Appeal is dismissed for non prosecution. No Costs. Consequently, connected miscellaneous petition is closed.

18.10.2023

Index : Yes / No

NCC : Yes / No

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TO:

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



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S.SRIMATHY, J.

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Judgment made in
S.A.(MD)No.87 of 2017

18.10.2023