



S.A.(MD).No.88 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.09.2023

CORAM

THE HONOURABLE MR. JUSTICE C.KUMARAPPAN

S.A.(MD).No.88 of 2017

and

C.M.P(MD)No.1624 of 2017

1.Velautham

2.Ramar

3.Dharmalingam

4.Sankaran

... Appellants/ Respondents 1 to 4
Defendants 1 to 4

Vs.

1.Diwan Moideen

... 1st Respondent/ Appellant /
Plaintiff

2.The Thasildhar

Ambasumuthiram,

Ambasamuthiram Village and Taluk.

3.State of Tamil Nadu,

Rep. by the District Collector,

Tirunelveli District.

... 2nd Respondent/ 2nd Respondent/
5th Defendant

Prayer: Second Appeal is filed under Section 100 of CPC, against the judgment and decree, dated 15.07.2015, made in A.S.No.24 of 2014, on the file of the Subordinate Court, Ambasamuthiram, partly reversing the judgment and decree, dated 08.07.2014 made in O.S.No.161 of 2010, on the file of the Principal District Munsif, Ambasamuthiram.



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For Appellants : No appearance
For Respondents : Mr.S.Krishnan
: Mr.M.Senthil Ayyanar,
Government Advocate for R2 & R3

JUDGMENT

Today when the matter is taken up for hearing, there is no representation on behalf of the appellants.

2. On 17.08.2023, when the matter was taken up for hearing, the learned counsel for the appellants has reported "no instructions" from the appellants 3 and 4. Hence, this Court ordered notice to the appellants 3 and 4 and this appeal has already been dismissed as abated as against the appellants 1 and 2.

3. Today, despite the name of the appellants 3 and 4 is printed, no one appeared on behalf of the appellants.

4. The learned counsel for the first respondent as well as the learned Government Advocate for the second respondent are present.



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5. It is pertinent to mention here that despite the matter posted under the caption “for dismissal”, no one appeared on behalf of the appellants. Hence, this Second Appeal is dismissed for default. There shall be no order as to cost. Consequently, connected miscellaneous petition is closed.

05.09.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
Ls
To

- 1.The Subordinate Court,
Ambasamuthiram.
- 2.The Principal District Munsif,
Ambasamuthiram.
- 3.The Thasildhar
Ambasumuthiram,
Ambasamuthiram Village and Taluk.
- 4.The District Collector,
Tirunelveli District.
- 5.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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C.KUMARAPPAN,J.

Ls

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