



S.A.No.831 of 2001

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.06.2023

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

S.A.No.831 of 2001

A.N.Santhanaraman

...Appellant

vs.

1.K.Sornammal

2.Shanthi

3.Minor Shankar

4.Minor Sathish

5.Minor Karthik

... Respondents

(Minor respondents 3 to 5 are represented by their Mother and Natural Guardian, the second respondent)

Prayer: Second Appeal filed under Section 100 of the Code of Civil Procedure against the Judgment and Decree dated 21.03.2001 in A.S.No. 117 of 2000 on the file of the Principal District Court, Thanjavur reversing the Judgment and Decree dated 30.06.1998 in O.S.No.14 of 1996 on the file of the Subordinate Court, Thanjavur.



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For Appellant : No appearance

For Respondents : No appearance

ORDER

When the matter was taken up for hearing on 08.06.2023, the learned counsel who appeared for the appellant reported 'no instructions' and has also filed a Memo dated 01.06.2023 to that effect. The said Memo was recorded and Registry was directed to remove the name of the counsel on record for the appellant and print the name of the appellant.

2. Today, when the matter is taken up for hearing, the name of the appellant is printed in the cause list. However, there is no representation on either side. Despite sufficient opportunity being given to the appellant and the appeal is listed under the caption 'for dismissal' today, he has not come forward to proceed with the appeal effectively. Therefore, this Court has no other option except to dismiss the appeal for non-prosecution. Accordingly, this Second Appeal is dismissed for non-prosecution with cost of Rs.1,00,000/- (Rupees One Lakh only) payable



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by the appellant to the Registry to the credit of S.A.No.831 of 2001. In case, the appellant files any application to restore the appeal, Registry is directed not to take the application on file unless the appellant deposits the cost imposed by this Court.

13.06.2023

NCC:Yes/No
Index:Yes/No
Speaking/Non-speaking order

mbi

To

- 1.The Principal District Court,
Thanjavur
- 2.The Subordinate Court,
Thanjavur.



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P.VELMURUGAN, J.

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