



S.A.No.2098 of 2001

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.06.2023

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

S.A.No.2098 of 2001

Marudamuthu Kalathivendrar @
Marudarajan

...Appellant

vs.

1.Renganayagam

2.Sekar

... Respondents

Prayer: Second Appeal filed under Section 100 of the Code of Civil Procedure against the Judgment and Decree dated 15.03.2001 in A.S.No. 57 of 2000 on the file of the Principal Subordinate Judge, Thanjavur reversing the Judgment and Decree dated 15.11.2000 in O.S.No.109 of 1999 on the file of the District Munsif Court, Thiruvaiyaru.

For Appellant : No representation



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For Respondents : Mr.V.K.Vijayaragavan for R1
R2 - Died

JUDGMENT

On 05.06.2023, when the matter was taken up for hearing, there was no representation for the appellant. In order to give one more opportunity this matter was directed to be listed today. On that day, it was made clear that no further adjournment will be granted.

2. Today also, there is no representation for the appellant. The appeal is of the year 2001. It has been kept pending for more than 22 years. Despite sufficient opportunity being given to the appellant, 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 by the appellant to the Registry to the credit of S.A.No.2098 of 2001. In



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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 Subordinate Court, Thanjavur
- 2.The District Munsif Court, Thiruvaiyaru
- 3.The Vernacular Records Section,
Madurai Bench of Madras High Court,
Madurai.



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P.VELMURUGAN, J.

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