



S.A.No.2146 of 2001

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.04.2023

CORAM:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

S.A.No.2146 of 2001

Ammukutty Amma

...Plaintiff/Appellant/Appellant

-Vs-

1.Ponnamma
2.Balakrishna Pillai
3.Sreekumaran Nair
4.Ambika Devi

...Defendants 1 to 4/Respondents/
Respondents

PRAYER: Second Appeal filed under Section 100 of Code of Civil Procedure, against the judgment and decree, dated 20.11.2000 passed by the Subordinate Judge, Kuzhithurai in A.S.No.108 of 1995, on appeal from the judgment and decree dated 30.01.1995 passed by the Principal District Munsif, Kuzhithurai in O.S.No.691 of 1983.

For Appellant : No appearance

For Respondents : No appearance



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JUDGMENT

When the matter was taken up for hearing on 25.04.2023, there was no representation for the appellant and this Court directed to list the matter on 27.04.2023 under the caption “for dismissal”. Further, when the matter came up for hearing on 27.04.2023, this Court directed the Registry to remove the name of the appellant counsel and print the name of the appellant in the cause list since the learned counsel for the appellant has filed a memo reporting 'no instructions' and further directed to list the matter on 28.04.2023 under the caption 'for dismissal'.

2. Today also, there is no representation for the appellant and the respondents. The appeal is in the year 2001. Despite sufficient opportunity given to the appellant, the appellant has not come forward to prosecute the appeal. Therefore, this Second Appeal is dismissed for non-prosecution with costs of Rs.1,00,000/- (Rupees One Lakh only) payable by the appellant to the Registry. In case the appellant has filed any application to restore the appeal, Registry is



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directed not to take the application on file unless the appellant deposits the said amount imposed by this Court.

28.04.2023

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

- 1.The Sub-Court,
Kuzhithurai.
- 2.The Principal District Munsif,
Kuzhithurai.
- 3.The Record Keeper,
V.R.Section,
Madurai Bench of Madras High Court,
Madurai.



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P.VELMURUGAN, J.

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