



SA.No.1836 of 2001

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.06.2023

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

SA.No.1836 of 2001

1.P.Saminathan

2.Samudhiram

...Appellants

vs.

1.Rengan alias Rengasamy

2.Special Tahsildar,
ADW, Thiruvaiyaru.

... Respondents

Prayer: Second Appeal filed under Section 100 of the Code of Civil Procedure to set aside the Judgment and Decree dated 07.09.2000 in A.S.No.3 of 2000 on the file of the Sub Judge, Thanjore reversing the Judgment and Decree dated 19.08.1998 in O.S.No.140 of 1997 on the file of the District Munsif Court, Thiruvaiyaru.

For Appellants : No appearance

For Respondents : No appearance



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JUDGMENT

When the matter was taken up for hearing on 01.06.2023, the learned counsel appearing for the appellants has filed a Memo dated 01.06.2023 reporting no instructions and stating that the letter sent to the first appellant returned as 'deceased'. The Registry was directed to print the name of the second appellant in the cause list.

2. Today when the matter is taken up for hearing, though the name of the second appellant is printed in the cause list, there is no representation on his side. Further, no steps have been taken to bring on record the legal representatives of the deceased first appellant. Therefore, the Second Appeal is dismissed as abated as against the first appellant and dismissed for non-prosecution as against the second appellant. No costs.

08.06.2023

NCC:Yes/No

Index:Yes/No

Speaking/Non-speaking order

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To

- 1.The Sub Court, Thanjore.
- 2.The District Munsif Court,
Thiruvaiyaru.



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P.VELMURUGAN, J.

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