



SA.No.1447 of 2001

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 14.06.2023

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

SA.No.1447 of 2001

1.Appavu Chettiar
2.Marakatham

... Appellants

Vs.

1.Subramaniya Pillai (Died)
2.Sridhar
3.Sundarayathanam
4.S.Dhanalakshmi
5.Malathy
6.Santhi
7.Jeyanthi

... Respondents

(Respondents 4 to 7 are brought on record as Lrs of the deceased first respondent vide Court order dated 15.02.2022 made in C.M.P(MD).Nos. 5084 to 5086 of 2019 in S.A.No.1447 of 2001.

Prayer: Second Appeal filed under Section 100 of the Code of Civil Procedure, to set aside the decree and judgment passed by A.S.No.6 of 1995 dated 20.04.2001 on the file of the Sub Court, Karur confirming the decree and passed in O.S.No.1244 of 1992 dated 06.06.1994 on the file of the principal District Munsif, Karur.



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For Appellants : Mr.Illanchezian
For Respondents : Mr.Anand Chanrasekar

JUDGMENT

When the matter was taken up for hearing on 27.04.2023, there was no representation for the appellants. The appeal is of the year 2001 and it is pending for more than 22 years. Despite the same, there was no representation for the appellant on 27.04.2023. However, this Court in order to give one more opportunity to the appellants, directed this matter to be posted under the caption 'for final hearing' today. Even today, the learned counsel for the appellants have not come forward to proceed with the appeal. Therefore, the second appeal is dismissed for non-prosecution with costs of Rs.1,00,000/- (Rupees One Lakh only) payable by the appellants to the Registry. In case the appellants have filed any application to restore the appeal, Registry is directed not to take the application on file unless the appellants deposits the said amount imposed by this Court.

14.06.2023

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To

1.Sub Court, Karur.

2.The principal District Munsif, Karur.

3.The Section Officer,
V.R.Section,
Madurai Bench of Madras High Court,
Madurai.



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P.VELMURUGAN, J.

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