



SA.No.1663 of 2001

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.06.2023

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

SA.No.1663 of 2001

S.Rajendran

... Appellant

Vs.

1.S.Shanmugam Chettiar (Died)

2.Muthulakshmi

3.Jeganathan

4.Mahendran

... Respondents

(Respondents 2 to 4 are brought on record as Lrs of the deceased sole respondent vide Court order dated 12.02.2021 made in C.M.P(MD).Nos. 1 to 3 of 2008 in S.A.No.1663 of 2001.

Prayer: Second Appeal filed under Section 100 of the Code of Civil Procedure, to set aside the judgement & decree made in A.S.No.4 of 2000 on the file of the Sub Court, Devakottai dated 20.07.2001 reversing the Judgement and decree made in O.S.No.35 of 99 on the file of the District Munsif Court, Devakottai dated 18.01.2000.

For Appellant	:	Mr.Vijayakumari Natarajan
For Respondents	:	Mr.S.Sankarasubramanian



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JUDGMENT

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When the matter was taken up for hearing on 27.04.2023, there was no representation for the appellant. 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 appellant, directed this matter to be posted under the caption 'for final hearing' today. Even today, the learned counsel for the appellant has 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 appellant to the Registry. In case the appellant has filed any application to restore the appeal, Registry is directed not to take the application on file unless the appellant deposits the said amount imposed by this Court.

14.06.2023

NCC:Yes/No

Index:Yes/No

Speaking/Non-speaking order

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To

1.Sub Court, Devakottai.

2.District Munsif Court, Devakottai.

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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