



WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

S.A.No.1093 of 2002

Meenakshi Ammal (Died)

2.Thangachiayyee

3.Narayanasamy

4.Kannusamy

5.Padmini

6.Chinnu

7.Periathambi

8.Chidambaram

9.Thirupathi

10.Anandhi

11.Parvathi

(Appellants 2 to 11 are brought on record
as Lrs of the deceased sole appellant
vide Court Order dated 21.04.2023)

... Appellants

-Vs-

1.Swaminathan

2.Thayyalu

3.Manickathammal

4.Draavidamani @ Mangayarkarasi

5.Thirumeni Mudaliar

6.Kulandaivelu Mudaliar

....Respondents



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PRAYER: Second Appeal filed under Section 100 of Code of Civil Procedure, against the judgment and decree of the Principal District Court, Thanjavur made in A.S.No.30 of 2001 dated 06.11.2001 confirming the order and final decree made in I.A.No.188 of 1998 in O.S.No.119 of 1991 on the file of the Sub-Court, Pattukkottai dated 18.08.2000.

For Appellants : A.Anand Chandrasekar

For R1 to R3 : Mr.V.Balaji

JUDGMENT

When the matter was taken up for hearing on 13.06.2023, it was reported that R2 died long before, no steps have been taken, therefore the appeal was dismissed as against R2 as abated. Further, batta was not paid for R4 and R5, therefore, the appeal was dismissed for default as against R4 and R5 and the matter was adjourned on 21.06.2023.

2. Despite sufficient opportunity given to the appellants, the appellants 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 appellants to the Registry. In case the appellants have filed



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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.

21.06.2023

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

- 1.The Principal District Court,
Thanjavur.
- 2.The Sub-Court,
Pattukkottai.
- 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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