



S.A.No.962 of 2002

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.10.2023

CORAM

THE HONOURABLE MRS.JUSTICE R. KALAIMATHI

S.A.No.962 2002

and

C.M.P.No.7699 of 2002

P.Krishna Pillai

... Plaintiff/Respondent/Appellant

-Vs-

1.Asirvatham
2.Sornam
3.Princy Ramanibai
4.Rasal Rajakumar
5.Susigararose Ramani
6.Rasal Sudir Sing
7.Rasal Vigil Selvam

... Defendants/Appellants/
Respondents

PRAYER: Second Appeal filed under Section 100 of the Civil Procedure Code, against the judgment and decree dated 02.04.2002 made in A.S.No. 142 of 1996 on the file of the Sub-Court, Padmanabhapuram, reversing the



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judgment and decree dated 30.10.1996 made in O.S.No.861 of 1990 on the file of the Principal District Munsif, Padmanabhapuram.

For Appellant : No appearance
For R2 and R4 : Mr.K.Sreekumaran Nair

J U D G M E N T

Despite order dated 09.07.2018 of this Court a direction was given to the appellant to pay batta to the unserved respondents on or before 06.08.2018. The said conditional order was not complied with. When the second appeal came up for hearing on 04.10.2023, as no steps have been taken to restore the appeal as against the respondents 1, 3, 5 & 6, the matter was posted on 13.10.2023 under the caption “for dismissal”. When the matter came up for hearing on 13.10.2023 the learned counsel for the appellant submitted that she has no instructions from the parties and hence, the matter was posted on 30.10.2023 under the caption “for dismissal”. The respondent Nos.2 and 4 represented through their counsel. Today also there



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is no representation for the appellant. Hence, this Second Appeal is dismissed for non-prosecution. No costs. Consequently, connected miscellaneous petition is closed.

30.10.2023

NCC:Yes/No

Index:Yes/No

Internet::Yes/No

To

- 1.The Sub-Court,
Padmanabhapuram.
- 2.The Principal District Munsif,
Padmanabhapuram.
3. The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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R. KALAIMATHI,J.

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