



S.A.No.1200 of 2003

WEB COPY **BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 28.04.2023

CORAM:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

S.A.No.1200 of 2003

and

C.M.P.No.10308 of 2003

S.S.M.Mohamed Mathinathu Habila Banu ...Plaintiff/Respondent/Appellant

-Vs-

1.State of Tamil Nadu,
through its Ramanathapuram
District Collector,
Ramanathapuram.

2.The Executive Officer,
Selection Grade Town
Panchayat,
Keelakarai.

...Defendants/Appellants/Respondents

PRAYER: Second Appeal filed under Section 100 of Code of Civil Procedure, against the judgment and decree of the learned Principal District Judge, Ramanathapuram, dated 08.01.2003 passed in A.S.No.30 of 2002 allowing the appeal by setting aside the Decree and Judgment of the Additional District Munsif, Ramanathapuram in O.S.No.160 of 1997, dated 21.12.2001.



S.A.No.1200 of 2003

WEB COPY

For Appellant : No appearance
For R1 : Mr.A.Kannan
Additional Government Pleader

JUDGMENT

When the matter was taken up for hearing on 25.04.2023, Mr.T.R.Jeyapalam, learned counsel for the appellant submitted that he has filed a Memo dated 17.04.2023 reporting 'no instruction'.

2. Hence, this Court directed the Registry to remove the name of the counsel for the appellant and print the name of the appellant. The matter was directed to be listed today under the caption for dismissal. Today also, there is no representation for the appellant. The appeal is in the year 2003. Despite sufficient opportunity given to the appellant, the appellant 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 appellant to the Registry. In case the appellant has filed any application to restore



S.A.No.1200 of 2003

WEB COPY

the appeal, Registry is directed not to take the application on file unless the appellant deposits the said amount imposed by this Court. Consequently, connected miscellaneous petition is closed.

28.04.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
am

To

- 1.The Principal District Court,
Ramanathapuram.
- 2.The Additional District Munsif,
Ramanathapuram.
- 3.The Record Keeper,
V.R.Section,
Madurai Bench of Madras High Court,
Madurai.



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S.A.No.1200 of 2003

P.VELMURUGAN, J.

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S.A.No.1200 of 2003

28.04.2023