



S.A.No.2063 of 2003

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.09.2023

CORAM

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

S.A.No.2063 of 2003 &
C.M.P.No.18908 of 2003

Anthony Ammal

...Appellant

vs.

1.Dhanamary

2.Peter

3.Arockiamary

4.Gnanasoundari

... Respondents

Prayer: Second Appeal filed under Section 100 of the Code of Civil Procedure against the Judgment and Decree dated 26.08.2003 in A.S.No. 3 of 2003 on the file of the Sub Court, Kuzhithalai reversing the Judgment and Decree dated 14.02.2001 in O.S.No.282 of 1996 on the file of the District Munsif Court at Kuzhithalai.

For Appellant : Mr.K.Govindarajan

For Respondents : No appearance



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JUDGMENT

When the matter was taken up for hearing on 28.07.2023, the learned counsel appearing for the appellant submitted that he has sent a letter to the appellant, however, there is no response from her. Therefore, this Court directed the Registry to print the name of the appellant along with the name of the counsel for the appellant and list the matter on 10.08.2023.

2. Accordingly, the name of the appellant as well as the appellant counsel was printed in the cause list on 10.08.2023. On that day, the learned counsel for the appellant sought some more time to get instructions from his client. Hence, the matter was adjourned to 31.08.2023. However, on 31.08.2023, there was no representation for the appellant. Hence, the matter was directed to be listed under the caption 'for dismissal' today.



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3. When the matter is taken up for hearing today, the learned counsel appearing for the appellant reported 'no instructions' from his client.

4. Even though the name of the appellant as well as the appellant counsel is printed in the cause list, the appellant has neither come forward to give appropriate instructions to the counsel nor chosen to appear before this Court, which shows that she is not interested to prosecute the appeal. In view of the same, the Second Appeal is dismissed for non-prosecution. No costs. Consequently, the connected Miscellaneous Petition is closed.

05.09.2023

NCC:Yes/No

Index:Yes/No

Speaking/Non-speaking order

mbi



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To

- 1.The Sub Judge, Kuzhithalai
- 2.The District Munsif, Kuzhithalai
- 3.The Section Officer,
Vernacular Records Section,
Madurai Bench of Madras High Court,
Madurai.



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KRISHNAN RAMASAMY, J.

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