



S.A.No.866 of 2003

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.07.2023

CORAM:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

S.A.No.866 of 2003
and
C.M.P.No.13514 of 2003

1.V.Shanmugathai
2.Aruna

... Appellants

-Vs-

1.K.S.Subramnian
2.Marimuthu
3.Durairaj
4.Saraswathi

....Respondents

PRAYER: Second Appeal filed under Section 100 of Code of Civil Procedure, against the judgment and decree dated 17.07.2002 passed by the larned Principal Sessions Judge, Tirunelveli in A.S.No.300 of 2001 confirming the judgment and decree dated 18.07.2001 passed by the Principal Sub-Judge, Tenkasi in O.S.No. 162 of 1999.

For Appellants : No appearance

For Respondents : No appearance



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JUDGMENT

When C.M.P(MD)No.13514 of 2003 was taken up for hearing on 23.06.2023, there was no representation for the petitioner and this Court directed the registry to list the C.M.P(MD)No.13514 of 2003 along with second appeal in S.A.No.866 of 2003 on 04.07.2023 under the caption 'for dismissal'. Today also, there is no representation for the appellants and the first respondents died and steps not taken. The appeal is in the year 2003. Despite sufficient opportunity given to the appellants, the appellants have not come forward to prosecute the appeal. Therefore, this Second Appeal along with Civil Miscellaneous Petition are 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 any application to restore the appeal, Registry is directed not to take the application on file unless the appellant deposit the said amount imposed by this Court.

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

04.07.2023



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To

- 1.The Sessions Judge,
Tirunelveli.
- 2.The Principal Sub-Judge,
Tenkasi.
- 3.The Record Keeper,
V.R.Section,
Madurai Bench of Madras High Court,
Madurai.



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P.VELMURUGAN, J.

am

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