



WEB COPY



S.A.No.410 of 2006 and A.S.No.572 of 2002

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.02.2024

CORAM

THE HONOURABLE Mr. JUSTICE G.ARUL MURUGAN

S.A.No.410 of 2006 and A.S.No.572 of 2002
and C.M.P.Nos.1562 & 1563 of 2007,
489 to 491 & 780 to 782 of 2013

1.R.Janakiraman
2.R.Madanagopal
3.R.Chitti Babu (died)
4.Sarojini Ammal

... Appellants in S.A.No.410 of 2006 and
A.S.No.572 of 2002

5.C.Sathiyabama
6.C.Mahesh

7.C.Ashok ... Appellants in S.A.No.410 of 2006
(Appellants 5 to 7 are brought on record as
LRs of the deceased 3rd appellant vide order
dated 19.02.2014 in C.M.P.No.755 of 2013)

vs.

1.R.Thirumalai (died)
2.T.Kumar
3.T.Balaji
4.T.Anandhan

...Respondents in S.A.No.410 of 2006
and A.S.No.572 of 2002

5.T.Babu
6.T.Mala
7.T.Manjula

...Respondents in S.A.No.410 of 2006
(Respondents 5 to 7 are brought on record as
LRs of deceased 1st respondent vide order dated
15.07.2014 in C.M.P.Nos.1022 to 1024 of 2013)



S.A.No.410 of 2006 and A.S.No.572 of 2002

WEB COPY

Prayer in A.S.No.572 of 2002:- First Appeal filed under Section 96 of the Civil Procedure Code against the judgment and decree dated 25.01.2001 in O.S.No.4693 of 1997 passed by the learned IV Additional Judge, City Civil Court, Madras.

Prayer in S.A.No.410 of 2006: Second Appeal filed under Section 100 of the Civil Procedure Code against the judgment and decree dated 26.02.2004 in A.S.No.413 of 2003 passed by the IV Additional Judge, City Civil Court, Madras, confirming the judgment and decree dated 26.07.2002 in O.S.No.7130 of 1997 passed by the XVIII Assistant Judge, City Civil Court, Madras.

For appellants in both A.S
and S.A : Mr.S.Rajendrakumar

For R1 in both A.S and
S.A : died

For R2 to R4 in both A.S.
and S.A and R5 to R7 in S.A : Mr.P.B.Ramanujam

J U D G M E N T

The learned counsel for the petitioners/appellants in both Appeal and Second Appeal submits that the petitioners are not interested in prosecuting these cases and in view of the same, both the Appeal and Second Appeal may be dismissed for non-prosecution and the learned



S.A.No.410 of 2006 and A.S.No.572 of 2002

counsel made an endorsement to that effect in the case bundles.

WEB COPY

2. In view of the same, A.S.No.572 of 2002 and S.A.No.410 of 2006 are dismissed for non-prosecution. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

29.02.2024.

Internet : Yes

Index : Yes/No

Speaking order/Non-speaking order
apd

To

1. The IV Additional Judge, City Civil Court, Madras.
2. The XVIII Assistant Judge, City Civil Court, Madras.
3. The Section Officer, V.R.Section, High Court, Madras.



WEB COPY



S.A.No.410 of 2006 and A.S.No.572 of 2002

G.ARUL MURUGAN,J

apd

S.A.No.410 of 2006 and A.S.No.572 of 2002
and C.M.P.Nos.1562 & 1563 of 2007,
489 to 491 & 780 to 782 of 2013

29.02.2024