



S.A.No.532 of 2010

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 12.08.2024

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

S.A.No.532 of 2010

and

M.P.No.1 of 2010

1.Sengodan
2.Nagarajan
3.Rangasamy
4.Madeshwaran
5.Thiyagarajan
6.Angamuthu
7.Vadivel
8.Vijaya Kumar

.. Appellants

Vs.

1.Krishnammal
2.Thangaraj

.. Respondents

PRAYER : Second Appeal is filed under Section 100 of the Code of Civil Procedure, prayed to set aside the Judgment and Decree dated 12.10.2009 passed in Appeal Suit No.113 of 2008, on the file of the Subordinate Court, Rasipuram, Namakkal District, reversing the judgment and decree dated 24.01.2006 made in O.S.No.92 of 2005 on the file of the District Munsif Court, Rasipuram, Namakkal District.



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For Appellants : No appearance

For Respondents : Mr.D.Siva Kumaran

J U D G M E N T

The appellants have filed this Second Appeal to set aside the Judgment and Decree dated 12.10.2009 passed in Appeal Suit No.113 of 2008, on the file of the Subordinate Court, Rasipuram, Namakkal District, reversing the judgment and decree dated 24.01.2006 made in O.S.No.92 of 2005 on the file of the District Munsif Court, Rasipuram, Namakkal District.

2. Heard, Mr.D.Siva Kumaran, learned counsel for the respondent and perused the material available on record.

3. By challenging the reversal of the findings in the First appeal, A.S. No. 113 of 2008, the defendants have preferred this appeal. However, for several hearings, there has been no representation on the side of the appellants. Even though the appellants' names were printed in the cause list, there was no representation on their behalf.



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WEB COPY 4. Hence, following the division of the Hon'ble Supreme Court, reported in “**2002(3) SCC 609, Ajit Kumar Singh and others vs. Chiranjibi Lal and others**” the appeal is dismissed. The findings rendered by the learned First Appellate Judge are confirmed. The members are directed to clear the dues if any to be paid by them within a period of three weeks from the date of receipt of a copy of this order. The members are permitted to clear the dues up to the cut-off date fixed by the competent authority. Consequently, the connected miscellaneous petition is closed. No Costs.

12.08.2024

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Index : Yes/No

Speaking Order: Yes/No

Nutral citation: Yes/No

To

- 1.The Subordinate Court, Rasipuram, Namakkal District.
- 2.The District Munsif Court, Rasipuram, Namakkal District.
- 3.The Section Officer, VR Section,
High Court of Madras.



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