



S.A.No.1383 of 2011

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.09.2024

CORAM

THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

S.A.No.1383 of 2011

1.M.Jayapaul
2.M.Subramanian
3.Thendral Manimozhi

...Appellants / Appellants /
Plaintiffs

-Vs-

Thamizharasi

...Respondent / Respondent
Defendant

Prayer:- Second Appeal preferred under 100 of CPC against the judgment and decree dated 21.03.2011 made in A.S.No.83 of 2010 on the file of the Principal Sub Court, Myladuthurai, confirming judgment and decree dated 26.10.2011 made in O.S.No.186 of 2007 on the file of the District Munsif Court, Sirkazhi.

For Appellants	: Mr.R.N.Amarnath
For Respondent	: No appearance



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J U D G M E N T

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When the case was taken up for hearing on earlier occasions on 08.11.2021, 09.06.2023, 20.08.2024, 04.09.2024 and 11.09.2024, it was submitted by the learned counsel for the appellants that the second appellant is no more and sought time for taking steps to bring on record the legal representatives of the deceased, second appellant, and this Court directed the Registry to list the matter under the caption “For Dismissal” on 23.09.2024 [today].

2. Even though the appeal is listed under the caption “For Dismissal” today, there is no material to show that the learned counsel for the appellants had taken steps so far, and there is no representation for the respondent herein. Hence, this Court is left with no other option except to dismiss the appeal for non-prosecution.

3. The **Second Appeal stands dismissed for Non-Prosecution**. No costs.

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cda

Index : Yes/No

Speaking/Non Speaking order



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To

- 1.The District Munsif Court, Sirkazhi.
- 2.The Principal Sub Court, Myladuthurai.
- 3.The Section Officer, VR Records,
High Court, Chennai.



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N.SENTHILKUMAR, J.

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