



S.A.No.829 of 2011

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.08.2024

CORAM

THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

S.A.No.829 of 2011
and
M.P.Nos.1 of 2011 & 1 of 2012

Krishnamoorthy

...Plaintiff / Appellant /
Appellant

-Vs-

1.Mani
2.Thirumavalavan
3.Ramadoss
4.Annadurai
5.Ramu

...Defendant / Respondent /
Respondent

Prayer:- Second Appeal preferred under 100 of CPC against the judgment and decree passed by the learned Sub-Judge, Mayiladuthurai, passed in A.S.No.5 of 2011 dated 18.04.2011 confirming the judgment and decree passed by the learned District Munsif Court, Sirkali, in O.S.No.185 of 2005 dated 10.12.2010.

For Appellant : No appearance

For Respondent : No appearance



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J U D G M E N T

This Court, by order dated 20.08.2024, passed the following order:

“On 03.08.2011, this Court recorded that when the second appeal was listed on 02.08.2011 for admission, there was no representation on the part of the appellant. However, the learned counsel for the respondents was present. The case was posted “For Dismissal” on 03.08.2011 and the same was dismissed for non-prosecution.

2. However, Mr.R.Sivaraman, an Advocate, has written a letter to the Registry to list the case for the restoration of the second appeal. But there is no representation on the part of the appellant today.

3. Post the matter under the caption “For Dismissal” on 30.08.2024.”

2. Even though the appeal is listed under the caption “For Dismissal” today [30.08.2024], there is no representation for the appellant. Hence, this Court is left with no other option except to dismiss the appeal for non-prosecution.



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In the result, the **Second Appeal stands dismissed for Non-Prosecution**. No costs. Consequently, connected miscellaneous petitions are closed.

30.08.2024

cda

Index : Yes/No

Speaking/Non Speaking order

To

- 1.The Sub-Judge, Mayiladuthurai.
- 2.The District Munsif Court, Sirkali.
- 3.The Section Officer, VR Records,
High Court, Chennai.

N.SENTHILKUMAR, J.

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