



WEB COPY



S.A.No.571 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:12.01.2024

CORAM

THE HONOURABLE Mr. JUSTICE G.ARUL MURUGAN

S.A.No.571 of 2012
and M.P.No.1 of 2012

1.Saraswathy
2.Sumathi
3.Kumar
4.Kanagavalli

...Appellants

Vs

1.C.Mani
2.Sundaram
3.Aliya Begum
4.K.Rathinam
5.P.Bhavani
6.The Bank Staff Colony Welfare Association
represented by its President
S.K.Sengottuvelavan
7.S.K.Sengottuvelavan
8.R.Sivagami
9.The Commissioner,
Salem Municipal Corporation,
Salem.

...Respondents

PRAYER: Second Appeal is filed under section 100 of the Civil Procedure Code, as against the Judgment and Decree made in A.S.No.72 of 2010 dated 08.11.2011 on the file of Principal Sub Judge, Salem, reversing the judgment and decree dated 13.04.2010 in O.S.No.202 of 2003 on the file of I Additional District Munsif, Salem.

For Appellants : No appearance
For Respondents : M/s.N.Devi
standing counsel for
salem corporation.



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G.ARUL MURUGAN, J.,

mpa
J U D G M E N T

When the second appeal listed for hearing on 11.12.2023, there was no representation on the side of the appellants and the matter was adjourned to 2nd week of January. Again, when the matter was listed on 08.01.2024, there was no representation on the side of the appellants and the matter was directed to be posted for dismissal today. Even today, when the matter was posted under the caption "for dismissal", there is no representation on the side of the appellant. It is evident that the appellants are not interested in prosecuting the second appeal and there is no useful purpose in keeping the second appeal pending. Therefore, this Second Appeal is dismissed as default. No costs. Consequently, connected miscellaneous petition is closed.

12.01.2024

Index : Yes/No
Speaking order/non-speaking order
mpa
To

1. The Principal Sub Judge, Salem.
2. The I Additional District Munsif, Salem.

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