



S.A.No.692 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.01.2024

CORAM

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

S.A.No.692 of 2012
and M.P.No.1 of 2012

V.Viswanathan

... Petitioner

Vs

K.Raji

... Respondent

PRAYER:- Second Appeal filed under Section 100 of the Civil Procedure Code, filed against the judgment and decree dated 17.08.2011 made in A.S.No.68 of 2010 on the file of the Court of the Sub Court, Erode, confirming the judgment and decree dated 31.03.2010 made in O.S.No.283 of 2009 on the file of the Principal District Munsif Court, Erode.

For Petitioner : No appearance

For Respondent : Mr.V.Raghunathan
for Mr.S.Dhanasekaran

ORDER

As the counsel for the appellant submitted that he is withdrawing

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from this case. This Court by order dated 15.07.2021 had directed the Registry to send a notice to the appellant stating that the appellant has filed a Memo for withdrawing his appearance. The notice sent to the appellant is served and when the matter was listed on 12.12.2023, there was no representation on the side of the appellant and again the matter was listed on 10.01.2024, there was no representation on the side of the appellant. Therefore, the matter was directed to be listed under the caption “for dismissal” on 19.01.2024.

2. Even today, when the matter was taken up for hearing, there was no representation on behalf of the appellant. It is evident that the appellant is not interested in prosecuting the appeal and that there is no purpose in keeping this appeal pending. Hence, this appeal is dismissed for non-prosecution.

3. Accordingly, this Appeal is dismissed as default for non-prosecution. No costs. Consequently, connected miscellaneous petition is closed.

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Index : Yes/No

Speaking order : Yes/No

Neutral Citations : Yes/No

G.ARUL MURUGAN,J.

gba

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