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S.A.No.933 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.10.2024

CORAM:

THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

S.A.No.933 of 2012

Ulaganathan (died)

...plaintiff /
Respondent / Appellant

2.Azhagudurai

3.Anandhan

4.Anbalagan

5.Amudha

...Respondents

****Appellants 2 to 5 are bring on record as the legal representatives of the deceased sole appellant, viz., Ulaganathan vide Court order dated 02.11.2021 made in C.M.P.No.12447 of 2021 in S.A.No.933 of 2012.**

-Vs-

Ambujam

...Defendant /
Appellant / Respondent

Prayer: Second Appeal filed under Section 100 of Civil Procedure Code, against the judgment and decree in A.S.No.144 of 2008 on the file of Additional District Court cum Fast Track Court, Ariyalur dated 29.10.2011 against in O.S.No.214 of 2000 on the file of the Additional Munsif Court, Ariyalur.



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For Appellant : No appearance
For Respondent : M/s.C.B.Kanitha
for Mr.S.M.S.Shriram Narayanan

J U D G M E N T

This Court, by order dated 25.09.2024, passed the following order:

“On 06.09.2024, the learned counsel for the appellants submitted that they had given Change of Vakalat for the appellants and also filed a memo to that effect and requested to delete the names of the counsel for the appellant and to print the name of the appellants.

2. Even though the name of the appellants are printed in the cause list, there is no representation on behalf of the appellants.

3. Learned counsel for the respondent is ready.

4. Post the second appeal under the caption “For Dismissal” on 25.10.2024.”

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

3. The learned counsel on record by name, M/s.Usha Ramman,



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appearing for the appellants, has filed a memo dated 02.10.2024, which reads

as follows:

**IN THE HIGH COURT OF JUDICATURE AT MADRAS
(APPELLATE SIDE JURISDICTION)**

SA.NO. 933 OF 2012

Ulaganathan (died)
And 4 others

...Appellant

Vs

Ambujam

...Respondent

MEMO FILED BY THE APPELLANT

The above named appellant state as follows;

In the above Second Appeal No. 933 of 2012, I had returned the entire case bundle with change of vakalat to Mr. Anandhan (S/o. late. Ulaganathan), 3rd Appellant in the above second appeal through speed post on 2.09.2024. I herewith enclosing the copy of Letter dated 02.09.2024 along with speed post receipt for your perusal. Hence, I request the Registry to record the memo as counsel on record for the Appellants.

It is therefore prayed that this Hon'ble Court may be pleased to record the memo in the place of Appellants and pass such further or other orders and thus render justice.

Dated at Chennai on this 2nd day of September, 2024.

Usha Ramman

COUNSEL FOR APPELLANTS



S.A.No.933 of 2012

Usha Ramman
ADVOCATE

Office : No. 155, Linghi Chetty Street,
IIIrd Floor, Parrys, Chennai - 600 001.
Phone : 044 - 4201 0678
E-mail : usharammanadvocate@gmail.com

Speed Post

2nd September 2024

Mr. U. Ananthan
Main Road
Opp: Samundeswari Temple
Narasinganpettai 609 802
Thiruvudaimanuthur Taluk
Thanjavur District
(Mobile: 9790181936)

Sir

Sub: S.A. No. 933 of 2012 – Ulaganathan vs. Ambujam – High Court, Madras

இந்த வழக்கு இன்று விசாரணைக்கு வந்து இரண்டு வாரங்களுக்கு ஒத்தி
வைக்கப்பட்டுள்ளது. தாங்கள் வழக்கு ஆவணங்கள் மற்றும் வக்காலத்து
இத்துடன் இணைக்கப்பட்டுள்ளது. மேற்படி இந்த வழக்கை தாங்களே
கவனித்துக்கொள்ளவும், இந்த வழக்கு சம்பந்தமாக இனிமேல் நாங்கள் எந்த
பொறுப்பும் ஏற்றுக்கொள்ளமாட்டோம்.

Yours faithfully

Usha Ramman
Usha Ramman

Encl: Vatalath
Tippeset grounds
Affidavit

210494706501 5448894045132405
SP HIGH COURT INCLUDING S.O. (S.E. 100/2024)
Counter No. 1, 04/09/2024, 13:15
Tamil Nadu
PIN: 609802, Narasinganpettai S.O.
From: 933 SMT, 2024
M/S: 2024
Net: 41.37, Tamil Nadu, Net: 41.36 (Gosh)
Check on www.indiafast.gov.in

Recording the same, the Second Appeal stands **dismissed for non-**



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prosecution. No costs.

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25.10.2024

cda

Index : Yes / No

Speaking / Non-Speaking Order

To

1.The Additional District Court cum Fast Track Court,
Ariyalur.

2.The Additional Munsif Court, Ariyalur.

3.The Section Officer,
VR Section, High Court,
Chennai.

N.SENTHILKUMAR, J.

cda



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