



S.A.No.746 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 30.08.2024**

CORAM

**THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR**

**S.A.No.746 of 2013**

**and**

**M.P.No.1 of 2013**

K.Sakunthala

...Appellant / 2<sup>nd</sup> Appellant /  
3<sup>rd</sup> Defendant

-Vs-

1.K.Saughath Ali

...Respondent / 1<sup>st</sup> Appellant  
1<sup>st</sup> Defendant

2.Sri Vara Sidhi Vinayagar Apartment Owners Association

Rep. By its President,

K.Kaviarasu, S/o.V.Krishnamurthy,

C-3, 5<sup>th</sup> Cross Street, Trustpuram,

Kodambakkam, Chennai – 24.

...Respondent / 1<sup>st</sup> Respondent  
Plaintiff

3.S.Muthazhaghu

...Respondent / 2<sup>nd</sup> Respondent  
2<sup>nd</sup> Defendant

**Prayer:-** Second Appeal preferred under 100 of CPC against the judgment and decree granted in O.S.No.3886 of 2003 dated 16.02.2007 on the file of the learned VII Assistant Judge at City Civil Court, Chennai, being confirmed in A.S.No.567 of 2008 dated 30.01.2012 on the file of the VI Additional Judge, City Civil Court, Chennai.



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S.A.No.746 of 2013

For Appellant : No appearance

For Respondents : No appearance

### **J U D G M E N T**

When the case was taken up for hearing on earlier occasions on 19.08.2024 and 27.08.2024, there was no representation for the appellant. Hence this Court directed the Registry to list the matter under the caption “For Dismissal” on 30.08.2024 [today].

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

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

**30.08.2024**

cda

Index : Yes/No

Speaking/Non Speaking order



S.A.No.746 of 2013

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- 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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S.A.No.746 of 2013

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**30.08.2024**