



S.A.No.763 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.06.2024

CORAM:

The Hon'ble MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

S.A.No.763 of 2013 and

M.P.No.1 of 2013

1. Tmt.D.Radha
2. D.Mahesh Kumar

...Appellants

-Vs-

1. P.Shanmugam
2. K.Kanaga
3. M/s. Bala Murugan Nagar Welfare Association,
Represented by its President
Rajagopalan, Present President
Ramakrishnan, having Regn
No.258/90 and Office at
Plot No.12, Bala Murugan Nagar,
Velachery, Chennai - 42.

...Respondents

Prayer:- Second Appeal is filed under Section 100 of Civil Procedure Code against the judgment and decree of the learned III Additional Judge, City Civil Court at Chennai in A.S.No.66 of 2011 dated 12.10.2012, confirming the judgment and decree of the learned VII Assistant Judge, City Civil Court at Chennai in O.S.No.5200 of 2007 dated 22.07.2009.

For Appellant : No Appearance

For Respondent : M/s.S.Parameshwari for Mr.
M.Muthappan

ORDER



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When the case came up for hearing on earlier occasion, the learned Counsel for the Respondents present in Court and concedes that the matter was settled. The learned Counsel for the Appellant was absent. Hence, this Court directed the Registry to list the matter under the caption "For Dismissal" on 25.06.2024.

2. Despite the matter is listed today, 25.06.2024 under the caption "For Dismissal", there is no representation for the Appellant and the Respondent claimed it was settled. It is seen that the learned Counsel for the Appellant is not inclined to proceed with the Second Appeal. Hence, this Court is left with no other option except to dismiss the Appeal for non prosecution. Consequently connected miscellaneous petition is closed.

25.06.2024

shl
Index : Yes/No
Speaking/Non-speaking order

To
1. The Subordinate Judge,
Erode.
2. The Principal District Judge,
Erode.



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SATHI KUMAR SUKUMARA KURUP, J.,

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