



S.A.No.853 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.10.2024

CORAM

THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

S.A.No.853 of 2013

and

M.P.No.1 of 2013

S.Anantharasu

...Appellant / Appellant /
Plaintiff

-Vs-

1.Amirthalingam

2.S.Venkatachalam

3.Savithiri

...Respondents 1 to 3 /
Respondents 1 to 3 /
Defendants 1 to 3

K.Vedachalam (Died)

4.V.Veerapandian

5.V.Kumar

6.G.Rajendran

7.K.Thayumanavan

...Respondents 4 to 7 /
Respondents 4 to 7 /
Defendants 5 to 8

Prayer:- Second Appeal preferred under 100 of CPC against the judgment and decree dated 08.11.2011 of the learned District Judge, Nagapattinam in A.S.No.13 of 2011 confirming the judgment and decree dated 28.02.2003 of the learned Principal Sub Judge, Nagapattinam in O.S.No.258 of 2000.



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For Appellant : M/s.G.Devi
For R1 : No appearance
For R2 to R6 : AOS not filed
R7 : Dismissed vide Court order
dated 21.12.2022

J U D G M E N T

This Court, by order dated 21.12.2022, passed the following order:

“The above matter is listed today under the caption 'Default Cases', for noncompliance of the requirements of the Registry, including the payment of batta.

2. The concerned counsels are directed to pay the batta and to comply with the other requirements of the Registry, on or before 11.01.2023 as a last chance, and to file proof of compliance, immediately, thereafter.

3. On non-compliance of the requirements of the Registry, on or before the specified date, as directed by this Court, the Second Appeal shall stand dismissed, automatically, in so far as the 7th respondent is concerned, without further reference to this Court.”

2. When the case was taken up for hearing on 05.04.2024, it was submitted by the learned counsel for the appellant that the 7th respondent died and requested time for taking steps.

3. In spite of the order passed by this Court on 21.12.2022, and on 05.04.2024, 14.08.2024 and 24.09.2024, the learned counsel for the



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appellant sought time for taking steps to bring the legal representatives of the deceased 7th respondent on record.

4. Today, 24.10.2024, when the case was taken up for hearing, the learned counsel for the appellant submitted that he seeks time for taking steps.

5. Since non-compliance of the order passed by this Court on 21.12.2022, this **second appeal stands dismissed for non-prosecution**. No costs. Consequently, connected miscellaneous petition is closed.

24.10.2024

cda
Index : Yes/No
Speaking/Non Speaking order

N.SENTHILKUMAR, J.

cda

To



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1. The District Judge, Nagapattinam.
2. The Principal Sub Judge, Nagapattinam.
3. The Section Officer, VR Records,
High Court, Chennai.

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