



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **10.06.2024**

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

S.A(MD)No.1138 OF 2008

and

M.P(MD)No.1 of 2008

Chithiraisamy

:Plaintiff/Appellant/Appellant

.VS.

1.Sundara Thevar

2.Navakanda Thevar

3.Sarasammal

:Defendants/Respondents/
Respondents

PRAYER: Second Appeal filed under Section 100 of Civil Procedure Code against the judgment and decree made in A.S.No.24 of 2005, dated 29.12.2005, on the file of the Principal District Court, Ramanathapuram confirming the judgment and decree made in O.S.No.3of 2002 dated 30.11.2004, on the file of the District-Mun sif-cum-Judicial Magistrate, Kamuthi.

For Appellant

:No appearance

For Respondents
1 and 2

:Mr.S.Sivathilakar

For Respondent-3

:Mr.S.Ramesh

**JUDGMENT**

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It is seen from the records that the Second Appeal was dismissed for default on 19.01.2010 for the non-appearance of the appellant and thereafter, it has been restored to file.

2. When the matter came for hearing on 07.06.2024, there was no representation for the appellant during the first and second call. Hence, in order to give an opportunity to the appellant, the Registry was directed to list the matter under the Caption "for dismissal" today. Today, the matter is listed under the caption "for dismissal". Even today, there is no representation for the appellant.

3. Hence, the Second Appeal is dismissed for default. No costs. Consequently, connected Miscellaneous Petition is closed.

10.06.2024

Index: Yes/No

Internet: Yes/No

NCC: Yes/No

vsn



To

1. The Principal District Judge,
Ramanathapuram.
2. The District Munsif-cum-Judicial Magistrate,
Kamuthi.
3. The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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S.SOUNTHAR, J.

vsn

JUDGMENT MADE IN
S.A(MD)No.1138 OF 2008
and
M.P(MD)No.1 of 2008

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