



S.A.(MD).Nos.516 of 2012

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.11.2024

CORAM:

THE HONOURABLE **MRS.JUSTICE S.SRIMATHY**

S.A.(MD).No.516 of 2012

and

M.P.(MD)No.1 of 2012

P.Krishnan

... Appellant

/Vs./

1.D.Abubacker,
Executive Committee Member of Karilla,
Sha Pallivasal and Aminsha Thaikka,
Tirunelveli Town.

2.D.Kadhar Mustan,
Executive Committee Member of Karilla,
Sha Pallivasal and Aminsha Thaikka,
Tirunelveli Town.

3.M.H.Beema John Beevi,
Executive Committee Member of Karilla,
Sha Pallivasal and Aminsha Thaikka,
Tirunelveli Town.

...Respondents

PRAYER: Second Appeal filed under Section 100 of the Civil Procedure Code, against the Judgment and Decree dated 13.12.2011 passed in A.S.No.103 of 2011 on the file of II Additional Sub Court, Tirunelveli, modifying the Judgment and



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WEB Decree dated 03.06.2011 passed in O.S.No.633 of 2008 on the file of Principal District Munsif Court, Tirunelveli.

For Appellant	: No appearance
R1	: Died
R2	: Batta due
R3	: No appearance

JUDGMENT

When the matter was taken up for hearing on 30.08.2024, the learned Counsel appearing for the appellant submitted that he had no instructions. However, he sought adjournment to ascertain the same. Today, ie., on 08.11.2024, he has filed a memo stated that the Advocates on record had sent communication, dated 10.08.2024, intimating the steps to be taken for the deceased 1st respondent through registered post, dated 12.08.2024 with acknowledgement due. It was received by the appellant on 13.08.2024 and the photostat copy of the same is produced. But the appellant had not turned up. Therefore, the learned Counsel appearing for the appellant submitted that there is no instructions on behalf of the appellant.



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2.Hence, the second appeal is dismissed for non prosecution. No costs. Consequently, connected miscellaneous petition is closed.

08.11.2024

Index : Yes / No
NCC : Yes / No

Tmg

TO:

1. II Additional Sub Court, Tirunelveli.
2. Principal District Munsif Court, Tirunelveli.
- 3.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY, J.

Tmg

Judgment made in
S.A.(MD).No.516 of 2012

Dated:
08.11.2024