



S.A(MD)No.1204 of 2006

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.09.2024

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THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

S.A(MD)No.1204 of 2006

and

C.M.P(MD).No.1 of 2006

G.Premavathi

... Appellants

.VS.

1.P.Gajarajan

2.P.Ramasamy (Died)

3.R.Vasanth Kokilam

4.R.Kaliaraj

(R3 & R4 are brought on record as LR's
of the deceased 2nd respondent vide
order dated 19.03.2014)

... Respondents

PRAYER: Second Appeal filed under Section 100 of the Civil Procedure Code, against the judgment and decree, dated 12.04.2006 made in A.S.No. 39 of 2005, on the file of the Additional District and Sessions Judge, Fast Track Court No.3, Madurai confirming the judgment and decree dated 19.10.2004 made in O.S.No.912 of 1999, on the file of the II Additional Sub Judge, Madurai.



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For Appellant : No appearance

For R1 : Mr.R.Janakiramulu

R2 : Died

For R3 & R4 : No appearance

J U D G M E N T

When the matter was taken up for hearing on 27.08.2024, it was the learned counsel appearing for the appellant reported 'No Instructions' and he has also filed a memo to that effect. The said memo is recorded.

2. Hence, this Court directed the Registry to print the name of the appellant in the cause-list and posted the matter on 28.08.2024. Pursuant to the order, dated 27.08.2024, though the name of the appellant has been printed in the cause list, there was no representation for the appellant and directed the Registry to list the matter under the caption 'for dismissal' today i.e., on 02.09.2024. Today also there is no representation on behalf of the appellant either in person or through counsel. This shows that the appellant



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is not interested in prosecuting the appeal. Hence, this Court has no other option except to dismiss the appeal for non-prosecution.

3. Accordingly, the second appeal is dismissed for non-prosecution. No costs. Consequently, connected miscellaneous petition is closed.

Index : Yes / No

Speaking Order : Yes / No

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To

- 1.The Additional District and Sessions Judge,
Fast Track Court No.3, Madurai.
- 2.The II Additional Sub Judge,
Madurai.
3. The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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V.BHAVANI SUBBAROYAN, J.

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