

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.04.2024

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

S.A(MD)No.1254 of 2006

Mahalingam

-Vs-

...Appellant

1.Thankatchi Ammal

2.Chandra

3.Thalinayagi

4Banu

5.Vasanthi

6.Chinnaiyan

7.Amirthavalli

... Respondents

PRAYER: Second Appeal is filed under Section 100 of the Code of Civil Procedure, to set aside the judgment and decree of the learned District Judge, Thanjavur in A.S.No.53 of 2005, dated 12.04.2006, confirming the judgment and

decree of the learned Additional Subordinate Judge, Kumbakonam in O.S.No.162 of 1997, dated 06.07.2005.

For Appellant : Mr.S.Madhavan

For R1 to R3,
R5 & R6 : No appearance

For R4 : Mr.P.Thiagarajan

For R7 : Mr.G.Gomathisankar

JUDGMENT

When the second appeal was taken up for hearing on 05.04.2024, at the request of the learned counsel for the appellant the matter was adjourned to 08.04.2024 under the caption 'for orders'. On 08.04.2024, the learned counsel for the appellant informed the Court that he was waiting for instruction from the appellant to withdraw the second appeal. Hence, at his request, the matter was adjourned to today with the direction to list it under the caption 'for withdrawal'.

2. Today the second appeal is listed under the caption 'for withdrawal'. The learned counsel for the appellant filed a memo stating that the parties have

received back the bundle with the consent for change of vakalat. The memo filed by the learned counsel for the appellant is recorded. There is no other representation for the appellant today. It seems the appellant is not interested in prosecuting the second appeal by engaging another advocate or otherwise. Hence, this Second Appeal is dismissed for default. No costs.

15.04.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To

- 1.The District Judge,
Thanjavur.
- 2.The Additional Subordinate Judge,
Kumbakonam.
- 3.The Record Keeper,
V.R.Section,
Madurai Bench of Madras High Court,
Madurai.

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S.SOUNTHAR, J.

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