



S.A(MD)No.462 of 2005

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **25.09.2024**

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

S.A(MD)No.462 of 2005

1.Selvaraj

2.Chithambaram

... Appellants/Appellants/Defendants

Vs.

Palammal (died)

1.Devaraj

2.Balakrishnan

3.Selvamoni

4.Kutty Nadar

... Respondents/Respondents/Plaintiffs

Prayer: Second Appeal filed under Section 100 of the Code of Civil Procedure against the judgment and decree dated 11.01.2005 made in A.S.No.29 of 2002 on the file of the Additional Sub Court, Nagercoil (Camp at Padmanabhapuram), confirming the judgment and decree dated 15.02.2002 made in O.S.No.288 of 1997 on the file of the Principal District Munsif Court, Padmanabhapuram.

For Appellants : No appearance

For Respondents : Mr.T.Arul



S.A(MD)No.462 of 2005

WEB COPY

JUDGMENT

When the matter came up for hearing on 24.09.2024, this Court passed the following order:

'When the matter came up for hearing on 20.01.2023, the learned counsel appearing for the appellants sought time for taking steps to bring on record the legal representatives of the deceased first appellant. Hence, the matter was adjourned. Till date, the learned counsel for the appellants have not taken any steps to bring on record the legal representatives of the deceased first appellant.

2.In view of the above, this Second Appeal is dismissed as abated in respect of the first appellant.

3.Though the name of the second appellant has been printed in the cause-list, there is no representation for the second appellant.

*4.Hence, Registry is directed to post the matter under the caption 'for dismissal' on **25.09.2024.**'*

2.When the matter is taken up for hearing today, even though the name of the second appellant has been printed in the cause list,



S.A(MD)No.462 of 2005

there is no representation on behalf of the second appellant. Hence, the

Second Appeal is dismissed for non-prosecution. No costs.

25.09.2024

NCC : Yes/No
Index : Yes/No
ps

To

1.The Additional Sub Court,
Nagercoil (Camp at Padmanabhapuram).

2.The Principal District Munsif Court,
Padmanabhapuram.

3.The Record Keeper,
V.R. Section,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



S.A(MD)No.462 of 2005

V.BHAVANI SUBBAROYAN, J.

ps

Judgment made in

S.A(MD)No.462 of 2005

25.09.2024