



S.A(MD)No.471 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 29.07.2024

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGO VAN

S.A(MD)No.471 of 2021
and
C.M.P(MD)No.6306 of 2021

N.Chidambaram ... Appellant / Appellant / Plaintiff
Vs

1.R.Chithra
2.R.Gowtham ... Respondents / Respondents / Defendants

Prayer : Second Appeal is filed under Section 100 of C.P.C., challenging the decree and judgment passed in A.S.No.5 of 2020 on the file of the Sub Court, Aranthangi, dated 27.01.2021, confirming the decree and judgment passed in O.S.No.117 of 2007 dated 19.12.2019 on the file of the District Munsif Court, Aranthangi.

For Petitioner : Mr.R.Paranjothi

For Respondents : Mr.M.Suresh

ORDER

Inspite of repeated adjournments, learned counsel on record for the appellant is not ready to argue the matter. Therefore, this Second Appeal



S.A(MD)No.471 of 2021

is listed today under the caption ' for dismissal'. Even after the specific order, learned counsel on record is not ready to argue the matter even today.

2. Learned counsel for the respondent would submit that ever as per the commissioner's report, in Survey No.155/19, it is noted that the plaintiff is in possession and in Survey No.155/20, the defendant is in possession. After the commissioner report, amendment petition was filed stating that the defendant encroached Survey No.155/20.

3. Since the learned counsel for the appellant is not ready to argue the matter, no purpose is going to be served in keeping this Second Appeal, pending any further. Accordingly, this Second Appeal is dismissed for non prosecution. Consequently, connected miscellaneous petition stands closed. No costs.

29.07.2024

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

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2/4



S.A(MD)No.471 of 2021

WEB COPY

To

1. The Sub Court, Aranthangi.
2. The District Munsif Court, Aranthangi.
3. The Section Officer, VR Section,
Madurai Bench of Madras High Court, Madurai.



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S.A(MD)No.471 of 2021

G.ILANGO VAN, J.

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