



S.A.(MD)No.247 of 2019

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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 22.07.2024

CORAM :

**THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR**

S.A.(MD)No.247 of 2019  
and  
C.M.P.(MD)No.4592 of 2019

1. Gandhimathi

2. Palaiah Devid

... Appellants

Vs.

1. G.Govindha Babu

2. G.Sunthara Lala

G.Ramesh Lala (Died)

3. G.Ganesh Lala

Subbaiah Nader (Died)

4. Sarasvathi

5. Minor.Soniya

6. Minor.Harishkumar  
(Minors 5<sup>th</sup> and 6<sup>th</sup> respondents rep. by Guardian  
their mother 4<sup>th</sup> respondent)

7. Subbammal



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8. Chandrabose

9. Sakthikumar

10. Esther

... Respondents

**PRAYER:** Second Appeal filed under Section 100 of Civil Procedure Code, to set aside the judgment and decree order dated 22.11.2018 in A.S.No.190 of 2004 passed by the Sub Court, Thoothukudi confirming the judgment and decree dated 24.09.2004 in O.S.No.722 of 1989 on the file of the Principal District Munsif Court, Thoothukudi by allowing this second appeal.

For Appellants : No appearance

For R1, R2 and R4  
to R6 : Mr.V.K.Vijayaraghavan

For R3 and R7 to  
R10 : No appearance

### **JUDGMENT**

The Second Appeal is directed against the judgment and decree passed in A.S.No.190 of 2004 dated 22.11.2018 on the file of the Subordinate Court, Thoothukudi, confirming the judgment and decree made in O.S.No.722 of 1989 dated 24.09.2004 on the file of the Principal District Munsif Court, Thoothukudi.



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2. Today, this case is listed under the caption 'for dismissal'.

3. It is seen from the records that since there was no representation for the appellants on 13.06.2024 and subsequently on 11.07.2024 and also batta for the respondents 7 to 10 was not paid, this Court ordered to post the matter under the caption 'for dismissal' on 22.07.2024 and even today (22.07.2024), there is no representation for the appellants. Hence, the Second Appeal is dismissed for default. Consequently, connected Miscellaneous Petition is closed. No costs.

**22.07.2024**

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

To

1. The Subordinate Judge, Thoothukudi.
2. The Principal District Munsif Judge, Thoothukudi.



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**K.MURALI SHANKAR, J**

csm

**Judgment made in**  
S.A.(MD)No.247 of 2019  
and  
C.M.P.(MD)No.4592 of 2019

**Dated : 22.07.2024**