



C.M.P(MD)No.8080 of 2019 in S.A(MD)SR.No.24216 of 2019

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.07.2024

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGO VAN

C.M.P(MD)No.8080 of 2019

in

S.A(MD)SR.No.24216 of 2019

S.Raja

... Petitioner / Appellant

Vs

1.Chittammal

2.Murugan

3.Chellaiah

4.Alagarsamy

5.Thothan

6.Mannar

7.Chinnammal

8.Ezhumalai

... Respondents / Respondents

Prayer in M.P(MD)No.1 of 2010: Civil Miscellaneous Petition is filed under section 5 of Limitation Act to condone the delay of 2214 days in filing the Second Appeal.



C.M.P(MD)No.8080 of 2019 in S.A(MD)SR.No.24216 of 2019

Prayer in S.A(MD)SR.No.24216 of 2019: Second Appeal is filed under section 100 of C.P.C., against the judgment and decree dated 31.01.2013 in A.S.No.32/2011 on the file of the Subordinate Judge, Theni, partly allowed the judgment and decree dated 01.04.2011 in O.S.No.138/2007 on the file of the District Munsif Court, Aundipatti with respect to the S.No.1357/4 with an extent of 2 Acre 53 cents as described in 1st item of suit property.

For Petitioner : No appearance
For R1 : Mr.K.Hemakarthiskeyan

ORDER

When the matter was taken up for hearing on 15.07.2024, there was no representation for the petitioner. Thereafter, listed today under the caption 'for dismissal'. Even today(26.07.2024) when the matter was taken up for hearing, there is no representation for the petitioner. Therefore, no purpose is going to be served in keeping this Second Appeal, pending any further.



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2. Accordingly, this Civil Miscellaneous Petition is dismissed for default and the Second Appeal is rejected at the SR Stage itself. No costs.

26.07.2024

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

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To

- 1.The Subordinate Judge, Theni.
2. The District Munsif, Aundipatti.
2. The Section Officer, VR Section,
Madurai Bench of Madras High Court, Madurai.

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G.ILANGOVA, J.

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ORDER
IN
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