



S.A.(MD)No.49 of 2018

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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.49 of 2018

and

C.M.P.(MD)Nos.835 and 836 of 2018

1. Karuppi

2. Perumal

3. Guruvammal

4. Vallikannu

... Appellants

Vs.

1. Rajasekar

2. Rajakumar

3. Latha Karpagam

4. Deivu

5. Balamurugan

... Respondents

(R5 Dismissed for default vide order dated 18.12.2023)

PRAYER: Second Appeal filed under Section 100 of Civil Procedure Code, to allow the second appeal by setting aside the decree and judgments passed in the appeal suit and in the appeal against the



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dismissal of the counter claim appeal by the Sub Court, Sankarankoil in A.S.No.43 of 2014 on 29.10.2014 and decree and judgment passed in the suit and in the counter claim in O.S.No.317 of 2010 by the Additional District Munsif Court, Sankarankoil and dismiss the suit filed by the respondents 1 to 4 and grant a decree and judgment in the counter claim preferred by the appellants in the above suit in O.S.No.317 of 2010 dated 22.11.2013 on the file of the Additional District Munsif Court, Sankarankoil with the costs of the appellants throughout.

For Appellants : No appearance

For R1 to R3 : Mr.M.P.Senthil

For R4 : No appearance

JUDGMENT

The Second Appeal is directed against the judgment and decree passed in A.S.No.43 of 2014 dated 29.10.2014 on the file of the Subordinate Court, Sankarankovil confirming the judgment and decree made in O.S.No.317 of 2010 dated 22.11.2013 on the file of the Additional District Munsif Court, Sankarankovil.

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



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3. It is seen from the records that since there was no representation for the appellants on 21.06.2024, 05.07.2024 and subsequently on 12.07.2024, 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 Petitions are closed. No costs.

22.07.2024

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

To

1. The Subordinate Judge, Sankarankovil.
2. The Additional District Munsif, Sankarankovil.



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K.MURALI SHANKAR, J

csn

Judgment made in
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