



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **06.06.2024**

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

S.A.NO.1337 OF 1996

and

M.P(MD)Nos. 2 to 7 of 2007

and

C.M.P(MD)Nos.21854 to 21859 of 2001

and

C.M.P(MD)Nos.1147 to 1149 of 2024

1.Selvanayagam(died)

2.Sathianesan

3.Gomathy

4.Jayasingh

5.Bright

6.Rani Premal

7.Edwin

(Appellants 2 to 7 are brought on record as legal representatives of the deceased first appellant as per order of this Court made in C.M.P.Nos.21851 to 21853 of 2001, dated 6.3.2002)

:Defendants 1 and 2/Appellants/
Appellants

.vs.

1.Nesayan

2.Rajarenjinamuthu

3.Palayyan



4.Thomas

5.Narayanan

6.Ramanujan

:Plaintiff and Defendants 3 to 7/
Respondents/Respondents

PRAYER: Second Appeal filed under Section 100 of Civil Procedure Code against the judgment and decree made in A.S.NO.19 of 1995, dated 9.4.1996, on the file of District Judge, Nagercoil, Kanyakumari District pursuant to the judgment and decree made in O.S.No.109 of 1992, dated 6.3.1995, on the file of Subordinate Judge, Kuzhithurai.

Appellant -1	:Died
For Appellants 2, 4 to 7	:No appearance
Appellant-3	:Died
For Respondent-1	:Mr.P.Thiagarajan

JUDGMENT

When the matter was taken up for hearing yesterday i.e., on 05.06.2024, there was no representation for the Petitioners/appellants. Therefore, the Registry was directed to list the matter under the caption "for dismissal" today. Even today, there is no representation for the Petitioners/appellants. Hence, all the above miscellaneous applications for condoning the delay, set aside the abatement and to bring on record the legal representatives of the deceased, are dismissed for default.



2.In view of the dismissal of the Miscellaneous Appellications, no useful purpose will be served in keeping the Second Appeal pending,which is of the year 1996.

3.Accordingly, the Second Appeal is dismissed for default. No costs.

06.06.2024

Index:Yes/No

Internet:Yes/No

NCC:Yes/No

vsn

To

- 1.The District Judge,
Nagercoil, Kanyakumari District.
- 2.The Sub-Judge,
Kuzhithurai.
- 3.The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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S.SOUNTHAR, J.

vsn

JUDGMENT MADE IN
S.A.NO.1337 OF 1996
and
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and
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and
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