



S.A.No.1676 of 2001

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.12.2024

CORAM:

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

S.A.No.1676 of 2001

1.Mathisa Pandian

2.Ashokan @ Ashok Pandian ...Plaintiff/1st Respondent/Appellant

*(A2 is impleaded as per the Order of the Court
dated 07.03.2003 made in C.Msd.P.Nos.5133 & 5144 of 2003)*

-Vs-

1.J.Samuel

...2nd Defendant/Appellant/1st Respondent

2.Beula

3.Daniel

4.Aldrin

5.Vimala

6.Sudhakar

...Defendants 3 to 7/Respondents 2 to 6/
Respondents 2 to 6

Prayer : Second Appeal filed under Section 100 of the Civil Procedure Code, against the Judgment and decree dated 19.12.2000 made in A.S.No.215 of 1999 on the file of the 1st Additional District Judge cum Chief Judicial Magistrate, Tirunelveli, reversing the Judgment and Decree, dated 09.07.1999 made in O.S.No.230 of 1995 on the file of the Additional Subordinate Judge, Tirunelveli.



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For Appellants : Mr.J.Antony Jesus for A1
Mr.C.Ravichandran for A2

For Respondents : Mr.D.Nallathambi for R1
Mr.T.Selvakumaresan
for R2, R3 and R5
No appearance for R4 and R6

JUDGMENT

This Second Appeal has been filed against the Judgment and decree dated 19.12.2000 made in A.S.No.215 of 1999 on the file of the 1st Additional District Judge cum Chief Judicial Magistrate, Tirunelveli reversing the Judgment and Decree dated 09.07.1999 made in O.S.No.230 of 1995 on the file of the Additional Subordinate Judge, Tirunelveli.

2.When the matter was taken up for hearing, the learned counsel appearing for the first appellant submitted that the first appellant died and he is unable to conduct the party. R3 also died and steps have not been taken within the period of limitation as stipulated and they are not ready to take the appeal.

3.In view of the above, this Second Appeal is dismissed as default. No costs.

13.12.2024
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NCC : Yes/No
Index : Yes/No
Internet: Yes/No

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V.SIVAGNANAM. J,

RJR

To

- 1.The 1st Additional District Judge cum Chief Judicial Magistrate,
Tirunelveli.
- 2.The Additional Subordinate Judge, Tirunelveli.
- 3.The Section Officer,
V.R. Section,
Madurai Bench of Madras High Court, Madurai.

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