



S.A.No.1739 of 2002

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.07.2024

CORAM

THE HON'BLE MR.JUSTICE S.SOUNTHAR

**S.A.No.1739 of 2002**

1.T.Muthu (Died)

2.P.Karuppan

3.Arumugam (Died)

4.Murugesan

... Defendants 2 to 5/Appellants  
Appellants

*(Memo presented before the Court on 28.04.2022 is recorded as Appellants 1 & 3 and R-2 died and there is no need to implead their LRs, since they are in representative capacity vide Court order, dated 28.04.2022 made in S.A.No. 1739 of 2002.*

Vs.

1.Arulandu

2.Karuppan (Died)

... 1st Defendant/2nd Respondent  
Respondent

**PRAYER** : Second Appeal filed under Section 100 of the Civil Procedure Code, to set aside the judgment and decree of the Court of the learned Sub Judge, Devakottai in A.S.No.33 of 1995, dated 31.10.1996,



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confirming the judgment and decree of the learned District Munsif, Devakottai in O.S.No.113 of 1993, dated 05.07.1995.

For Appellants : No appearance

For R-1 : Mr.K.K.Senthil

### **JUDGMENT**

When the Second Appeal was taken up for hearing on 11.07.2024, there was no representation for the appellants. Hence, in order to give an opportunity to the appellants, the Registry was directed to list the matter under the caption 'For Dismissal'.

2. Today, the Second Appeal is listed under the caption 'For Dismissal'. Even today, there is no representation for the appellants.

3. The learned Counsel for the first respondent is present.

4. Hence, this Second Appeal stands dismissed for default. There shall be no order as to costs.

**15.07.2024**



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

To

- 1.The Sub Judge,  
Devakottai.
- 2.The District Munsif,  
Devakottai.
- 3.The Section Officer,  
Vernacular Record Section,  
Madurai Bench of Madras High Court,  
Madurai.



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**S.SOUNTHAR, J.**

BTR

**Judgment made in**  
**S.A.No.1739 of 2002**

**Dated:**  
**15.07.2024**