



SA.No.1752 of 2002

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 10.01.2024

CORAM:

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

SA.No.1752 of 2002 and

CMP.No.15050 of 2002

1. David
- 2.Asirvatham
- 3.Gnanakan

... Appellants / defendants

-VS-

- 1.Sivalingam
- 2.Gopalan
- 3.Mahalingam
- 4.Arumugham
- 5.Subramaniam @ Rajendran
- 6.Murugappan
- 7.Lakshmi
- 8.Balasubramaniam(died)
- 9.Kasi Udayam
- 10.Sharma
- 11.Jayakumar
- 12.Vasanthi Balasubramanian
- (12th respondent brought on record
as LR of the deceased 8th respondent
vide order, dated 11.11.2023)

.. Respondents / plaintiffs

PRAYER: The Second Appeal is filed under Section 100 C.P.C to set aside the decree and Judgment of the Sub Court, Padmanabhapuram, dated 06.08.2002 passed in A.S.No.154 of 1998 in modifying the Judgment and decree, dated 21.09.1998 in O.S.No.232 of 1995 on the file of the



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Additional District Munsif, Eraniel.

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For Appellants : No appearance

For Respondents : No appearance

JUDGMENT

The Second Appeal is of the year 2002 and came up for consideration before this Court on 09.02.2022, 05.01.2024 and 08.01.2024, on all the dates there was no representation for the appellants. Hence, the matter was directed to be listed today under the caption for dismissal. Accordingly, the same was listed today, under the caption for dismissal. Even today also there is no representation on behalf of the appellants. In the circumstances, this Court is left with no other option except to dismiss this Second Appeal for non prosecution.

2. Accordingly, the Second Appeal is dismissed for non prosecution. No costs. Consequently, the connected Miscellaneous Petition is closed.

10.01.2024

Internet : Yes / No

Index : Yes / No

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To

1. The Additional District Munsif Court at Eraniel
2. The Sub Court, Padamanabhapuram



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MUMMINENI SUDHEER KUMAR. J.

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