



SA.No.1776 of 2002

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

S.A.No.1776 of 2002

R.Veerassamy

: Appellant

-VS-

- 1.Chidambara Vijaya
- 2.C.Subbiah
3. Saminathan
4. Veerasamy
5. Thayyal Ammal
6. Thanam

: Respondents

PRAYER: The Second Appeal is filed under Section 100 C.P.C against the Judgment and Decree made in A.S.No.2 of 1993 on the file of Subordinate Judge, Pattukkottai, dated 14.10.1993 confirming the Judgment and Decree, dated 11.03.1992 in O.S.No.36 of 1990 on the file of the District Munsif Court, Pattukkottai.

For Appellant

: No appearance

JUDGMENT



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This appeal is filed by the original plaintiff aggrieved by the concurrent findings recorded by the learned Trial Court and lower Appellate Court. This appeal was already dismissed as against the respondent No.3 as early as on 05.04.2011. Further, the appeal was also dismissed as against the respondents 1 and 5 on 14.12.2023. As the Legal representatives of the said respondents have not been brought on record, thus the appeal is abated against the respondents 1 and 5. This matter again came up for consideration before this Court on 02.02.2024. As there was no representation for the appellant, the matter was directed to be listed today, under the caption “for dismissal”. In spite of the matter listed today under the caption for dismissal, no representation for the appellant either in the pre-lunch or post-lunch session. As the second appeal is of the year 2002 and pending for more than two decades, this Court is not inclined to adjourn the matter any further.

2. In the circumstances, this Court is left with no other option except to dismiss this Second Appeal for non prosecution. Accordingly, this Second Appeal is dismissed for non prosecution. No costs.

06.02.2024

Internet : Yes / No



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Index : Yes / No
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To

1. The Subordinate Judge, Pattukkottai,
2. The District Munsif Court, Pattukkottai.



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MUMMINENI SUDHEER KUMAR. J.

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