



SA.No.2125 of 2002

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 09.01.2024

CORAM:

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

SA.No.2125 of 2002

Bomman

... Appellant

-VS-

**1.Ramasamy
2.Dharmaraj**

.. Respondents

PRAYER: The Second Appeal is filed under Section 100 C.P.C against Judgment and decree, dated 24.04.2002 made in A.S.No.124 of 1996 on the file of the Subordinate Judge, Palani in confirming the Judgment and Decree dated 21.12.1995 made in O.S.No.376 of 1987 on the file of the District Munsif Court, Palani.

For Appellant : Mr.P. Aathimoola Pandian

For 2nd Respondent : M/s. Sarvbhauman Associates

JUDGMENT

This matter earlier came up for consideration on 05.01.2024.



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As there was no representation for the appellant, the same was directed to be listed today under the caption for dismissal. When the matter is listed today under the caption for dismissal, it is represented by the learned counsel for the appellant that in spite of informing the appellant as well as the learned counsel, who appeared in the matter before the lower Court about the listing of the matter for final disposal, no instructions are furnished to prosecute the matter further. On the other hand, the learned counsel appearing for the respondent No.2 also submitted that he has received information that the matter settled between the parties out of Court.

2. Taking into consideration of over all circumstances, especially the fact that the Second Appeal is of the year 2002 and there is none to prosecute this appeal, 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.

09.01.2024

Internet : Yes / No
Index : Yes / No
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To

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



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MUMMINENI SUDHEER KUMAR. J.

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