



SA.No.2048 of 2003

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 02.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

SA.No.2048 of 2003 and
CMP.No.18652 of 2003

Arulmigu Nellaiyappar Arultharum Kanthimathi
Ambal Thirukoil, Thirunelveli town
rep. by its Executive Officer.

: Appellant

-VS-

C.S. Narayanan

: Respondent

PRAYER: The Second Appeal is filed under Section 100 C.P.C against the Judgment and decree, passed in A.S.No.48 of 2002, on the file of the I Additional District Judge, Thirunelveli, dated 07.02.2003 by reversing the Judgment and decree passed in O.S.No.733 of 1996 on the file of the 2nd Additional District Munsif Judge, Thirunelveli, dated 12.11.2001.

For Appellant : No appearance

For respondent : Mr.M.S. Jawahar



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JUDGMENT

When the matter taken up for hearing on 31.01.2024, this Court passed the following order:

“As the learned counsel for the appellant passed away, notice was sent to the appellant and the same was received by the Executive Officer of the appellant on 02.05.2023. However, no steps have been taken to enter fresh appearance. Hence, the name of the appellant is printed in the cause list. In spite of the same, there is no representation for the appellant. Hence, post the matter for dismissal on 02.02.2024.”

2. Today, in spite of the matter being listed under the caption for dismissal by printing the name of the sole appellant, there is no representation for the appellant either in pre-lunch or post-lunch session.

3. Taking into consideration of the fact that this Second Appeal is of the year 2003, this Court is not inclined to adjourn the matter further.



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

02.02.2024

Internet : Yes / No
Index : Yes / No
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To

1. I Additional District Judge, Thirunelveli.
2. 2nd Additional District Munsif Judge, Thirunelveli



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MUMMINENI SUDHEER KUMAR. J.

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