



WEB COPY



S.A.No.452 of 2003

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE P.VADAMALAI

S.A.No.452 of 2003

and

C.M.P.No.3961 of 2003

1. Aathiyappan (Died) ... Appellant/Appellant/Petitioner
2. Shanmugavadivu
3. Jeyammal
4. Vadivel Madhavan
5. Shamugaraghavan
6. Selvakesavan
7. Subathradevi ... Appellants
(Appellants 2 to 7 are impleaded as legal
heirs of the deceased first appellant vide
order of this Court dated 30.04.2009
made in C.M.P(MD) No.1914 of 2005
in S.A.No.452 of 2003)

Vs.

Kulathur Hindu Nadar
Uravinmurai Sangam,
Represented by its President,
Puluthiandavar. ... Respondent/Respondent/Plaintiff

PRAYER: Second Appeal filed under Section 100 of Code of Civil Procedure, against the judgment and decree dated 25.09.2001 made in A.S.No.16 of 2000 on the file of the Sub Court, Kovilpatti, confirming the judgment and decree dated 19.07.2000 made in O.S.No.22 of 1995 on the file of the learned District Munsif, Vilathikulam.



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For Appellants : No appearance

For Respondent : Mr.J.Antony Jesus

JUDGMENT

When the matter was taken up for hearing on 13.02.2024, the learned counsel for the appellants has already filed a Memo stating that he has no instructions from his party. The said Memo was recorded. Hence, this Court directed the Registry to print the name of the appellants in the cause list and posted the matter on 21.02.2024. On that day, the matter was not listed. Thereafter, the matter was taken up for hearing on 22.02.2024. On the said date, even after printing the names of the appellants, there was no representation for the appellants. Hence, the matter was posted on 28.02.2024, under the caption “for dismissal”. Even today, there is no representation on the side of the appellants.

2. The learned counsel for the respondent is present before this Court.



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3. In view of the above, the second appeal is dismissed for non-prosecution. No Costs. Consequently, connected Miscellaneous Petition is closed.

28.02.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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To

- 1.The Sub Court, Kovilpatti.
2. The District Munsif Court,
Vilathikulam.
- 3.The Section Officer,
Vernacular Records,
Madurai Bench of Madras High Court,
Madurai.



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P.VADAMALAI, J.

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