



SA.No.500 of 2003

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 11.01.2024

CORAM:

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

SA.No.500 of 2003

Palani Achi

**Appellant
1st respondent / 1st plaintiff**

-VS-

**1.C.Kathirvelu Pillai
2.Venkatachalam Pillai
3.Durai Jeganathan
4.Palanivel Pillai
5.Subramania Pillai
6.Meenammal
7.Visalatchi
8.Saradambal
9.Mallika
10.Pushpavalli**

**.. Respondents 2 to 10 /
Respondents 3 to 11 / defendants 2 to 10**

PRAYER: The Second Appeal is filed under Section 100 C.P.C against the Judgment and decree of the Additional Subordinate Judge, Dindigul, Dindigul Anna District, dated 30.09.1994 made in A.S.No.246 of 1993 allowing the appeal filed against the Judgment and decree of the District Munsif, Palani, Dindigul, dated 27.08.1991 made in O.S.No.519 of 1983.



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SA.No.500 of 2003

For Appellants : No appearance

For Respondents : No appearance

JUDGMENT

This Second Appeal was filed against the reversal findings of the Courts below. In the year 2003, the appeal was already dismissed as against the respondent Nos.2, 3, 5 to 7, 9 and 10 by order of this Court, dated 05.04.2011. The respondents 4 and 8 have died. However, no steps have been taken to bring on record the LRs of the deceased respondents 4 and 8, as such the appeal already stood abated as against the respondent Nos.4 and 8. Only, the first respondent who was served with notice also failed to enter appearance. Earlier, this matter was listed on 09.01.2024 as there was no representation for the appellant and the same was directed to be listed today under the caption for dismissal. Even though, the matter is listed today under the caption for dismissal there is no representation for the appellant.

2. In the light of the above and also taken into consideration of the fact that the appeal stood dismissed as against the respondent Nos.2 to 10, this Court is not inclined to adjourned the matter further and accordingly,



SA.No.500 of 2003

the Second Appeal is dismissed for non prosecution. No costs.

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11.01.2024

Internet : Yes / No
Index : Yes / No
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To

1. The Additional Subordinate Judge, Dindigul, Dindigul Anna District,
2. The District Munsif, Palani, Dindigul,



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SA.No.500 of 2003

MUMMINENI SUDHEER KUMAR. J.

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SA.No.500 of 2003

11.01.2024