



S.A.No.612 of 2003

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.01.2024

CORAM

THE HON'BLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

S.A.No.612 of 2003

Murjitha Beham

... Appellant/1st Respondent/
1st Defendant

Vs.

1.Mallika Bivi (Died)

... 1st Respondent/Appellant/
Plaintiff

2.Pappammal Bivi

3.Mariyam Bivi

... Respondents 2 & 3/
Respondents 2 & 3/
Defendants 2 & 3

4.Ajis Khan

5.Crozinal Begum

... Respondents 4 & 5

*[RR4 & 5 – brought on record as LRs of the deceased
1st respondent vide order dated 23.12.2021 made in
M.P.(MD) Nos.1 and 2 of 2006 in S.A.No.612 of 2003]*

Prayer: Appeal filed under Section100 of Civil Procedure Code to set aside
the judgment and decree dated 23.10.2002 made in A.S.No.80 of 2000 on



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the file of the Principal District Court, Sivagangai, reversing the judgment and decree dated 18.08.1999 made in O.S.No.46 of 1994 on the file of the District Munsif Court, Manamadurai.

For Appellant	:	No appearance
For R5	:	Mr.S.Parthasarathy
For RR2 & 3	:	No appearance
RR1 & 4	:	Died

JUDGMENT

Learned counsel for the appellant on record filed a memo dated 8th January, 2024 *vide* USR No.987 reporting “no instructions” on the ground that in spite of intimation given to the appellant, there is no response from the appellant. Hence, there is none to prosecute this appeal. In the circumstances, this Court is left with no other option except to dismiss this appeal for non-prosecution.



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2. Accordingly, this Second Appeal is dismissed for non-prosecution. However, there shall be no order as to costs.

09.01.2024

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

abr

To

1.The Principal District Court,
Sivagangai.

2.The District Munsif Court,
Manamadurai.



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MUMMINENI SUDHEER KUMAR, J.

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