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A.S. NO.1055 OF 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.06.2025

CORAM:

THE HONOURABLE MR. JUSTICE R.SAKTHIVEL

Appeal Suit No.1055 OF 2012

and

M.P.No.1 of 2012

Krishnasamy Mudaliar Trust,
Represented by its Trustee Krishnasamy Mudaliar,
S/o. A.K.Ayya Kannu Mudaliar,
No.27, Main Road, Pudupalayam,
Cuddalore - 607 001.

... Appellant /
Plaintiff

Vs.

1. G.S.Sundaram,
No.6, Sitaram Nagar,
Pudupalayam, Cuddalore - 607 001.
2. N.Radhakrishnan,
No.9-C, Ramadoss Naidu Street,
Pudupalayam, Cuddalore - 607 001.

... Respondents
Defendants

/

PRAYER : This Appeal Suit filed under Order 43 R1 of the Civil Procedure Code 1908, read with Section 96 of Appellate Side Rules praying to set aside the Judgment and Decree dated October 26, 2010 made in O.S.No.5 of 2005 on the file of the II Fast Track Court, Cuddalore by allowing this appeal before this Court.

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For Appellant : No appearance

For R2 : Mr.P.Mani

J U D G M E N T

This matter is listed today under the caption 'for dismissal'.

2. When the matter was listed on 13.06.2025, this Court observed as follows:-

" No representation for the appellant.

2. The learned counsel for the respondent No.2 is present.

3. Registry is directed to list the matter on 18.06.2025 under the caption for dismissal. "

3. Subsequently, when the matter was listed on 18.06.2025, this Court has observed as follows:-

" There is no representation for the appellant.

2. Mr.P.Mani, learned counsel for the second respondent is before this Court.

3. Registry is directed to list the matter on 23.06.2025 under the same caption."

4. Accordingly, the matter is listed today under the caption 'for dismissal'. Even today, there is no representation for the appellant. The



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learned counsel for the second respondent is present. Despite sufficient opportunity is given, no one represented on behalf of the appellant.

Hence, this Appeal Suit is dismissed for default. Considering the facts and circumstances, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

26.06.2025

Index : Yes/No

Speaking order : Yes/No

Neutral Case Citation : Yes/No

av

To

The II Fast Track Court, Cuddalore.



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R.SAKTHIVEL, J.

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