



WEB COPY

S.A.No.562 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

S.A.No.562 of 2016
and C.M.P.No.10329 of 2016

1.K.Srinivasan
2.Kanniyammal
3.Kokila
4.A.Kasthuri

...

Appellants

versus

Ellappan

...

Respondent

Prayer: Second Appeal has been filed under Section 100 of Civil Procedure Code against the judgment and decree dated 27.11.2015 made in A.S.No.274 of 2010 on the file of the learned I Additional District Judge, City Civil Court, Chennai, reversing the judgment and decree in O.S.No.8812 of 2008, dated 23.12.2009 on the file of the learned II Assistant Judge, City Civil Court, Chennai.

For Appellants : No Appearance

For Respondent : Mr.Paul Bennett G.
for Mr.P.J.Rishikesh

JUDGMENT



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When the matter was listed on 10.02.2025, 27.02.2025, 06.03.2025, there was no representation on the side of the appellants. However, the learned counsel for the respondent submitted that the second appellant in the appeal had died. Again when the matter was posted for hearing on 04.04.2025, there was no representation on the side of the appellants and no steps have been taken to substitute the legal heirs on record. Therefore, the matter was ordered to be posted under the caption “for dismissal”. Even when the matter is listed today, there is no representation on the side of the appellants either in-person or through their counsel.

2. In view of the same, this Second Appeal is ***dismissed for non-prosecution***. Consequently, the connected Miscellaneous Petition is closed.

3. There shall be no order as to costs.

08.04.2025

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

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S.A.No.562 of



To

1.The I Additional District Judge,
City Civil Court, Chennai.

2.The II Assistant Judge,
City Civil Court, Chennai.



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S.A.No.562 of '16



G.ARUL MURUGAN, J.

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and C.M.P.No.10329 of 2016

08.04.2025