



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-11-2025

CORAM

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

S.A.No.961 of 2014

and

M.P.No.1 of 2014

T.M.Mara Naicker (died)

2.Rangammal

3. T.M.Murugesh

[Sole appellant died, A2 and A3 are brought
on record as Lrs of the deceased sole appellant
vide court order dated 22.10.2024 made in
CMP Nos.12447, 12449 & 12450 of 2024]

... Appellants

Vs.

1. Thimmaraj

2. Thimmakkal

3. Rangammal

4. Nagammal

5. Palaniammal (died)

6. Maruswamy

7. Thimmakkal (died)



8. Pappammal (died)

9. Naganaicker (died)

10. Kanagaraj

11. N. Bakkiaraj

12. Thimmakkal

13. Vaitheeswari

14. Ajith Kumar

15. O.N. Nataraj

16. O.N. Ponnusamy

[R5 Died

R13 And R14 Brought On Record As Lrs

Of The Deceased R5 Vide Court Order

Dated 22.10.2024 Made In

CMP Nos. 12457, 12459 & 12461 Of 2024]

[R9 Died

R15 And R16 Are Brought On Record As

Lrs Of The Deceased R9 Vide Court Order

Dated 22.10.2024 Made In CMP Nos. 12464,

12466 & 12467 Of 2024]

... Respondents

PRAYER:

This Second Appeal is filed under Section 100 C.P.C., against the judgment and decree dated the 6th day of June 2011 passed in A.S.No.2 of 2010 on the file of the Additional District Court, Gobichettipalayam, (Fast Track Court No.2),



confirming the judgment and decree dated 23rd June 2009 made in O.S.No.52 of 2007 on the file of the II Additional Subordinate Judge, Gobichettipalayam.

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For Appellants : No appearance

For R2 to R4 & R12: Mr.S.Parthasarathy

R5, R7, R8, R9 : Died

R1, R6, R10, R11

R13 to R16 : AoS not filed

JUDGEMENT

When the matter was listed for hearing on 24.11.2025, there was no representation for the appellants, hence, Registry was directed to list the matter under the caption “for dismissal” on 26.11.2025 (i.e.,) today. When the matter is called today, there is no representation for the appellants. Though sufficient opportunity was given to the appellants, the appellants are not interested in prosecuting the second appeal.

2. Hence, this second appeal is dismissed for non prosecution. No costs. Consequently, connected miscellaneous petition is closed.



26.11.2025

mfa

Index: Yes / No

Speaking Order / Non-speaking Order

Neutral Citation: Yes / No

To

1. The Additional District Judge,
Additional District Court,
Gobichettipalayam, (Fast Track Court No.2),
2. The II Additional Subordinate Judge, Gobichettipalayam.
3. The Section Officer,
VR Section,
High Court,
Chennai.



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DR. A.D. MARIA CLETE, J

mfa

**S.A.No.961 of 2014
and
M.P.No.1 of 2014.**

26.11.2025