



A.S.No. 476 of 2017

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**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

Dated : 07.07.2025

CORAM:

**THE HONOURABLE MR. JUSTICE R. SAKTHIVEL**

A.S.No. 476 of 2017

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Murugesu Marudavanan  
residing at No. 8, Charulatha Apartments,  
12/23 Club Road, Chetput, Chennai-31  
presently residing at No. 20/35,  
Sunkuvar Street, Triplicane,  
Chennai-600 005.

...Appellant

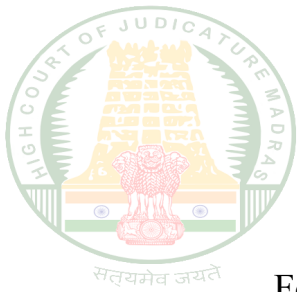
Versus

1.M.Ganesh Prabhu  
79, New Boag Road,  
T.Nagar, Chennai – 600 017.

2.K.V.Krishnan  
79, New Boag Road  
T.Nagar, Chennai – 600 017.

...Respondents

**Prayer:** Appeal Suit is filed under Order XLI read with Section 96 of the Code of Civil Procedure, 1908 praying to set aside the Judgment and Decree in O.S.No.4377 of 2013 dated December 22, 2015 passed by XV Additional City Civil Court, Chennai.



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For Appellant : No Appearance  
For Respondent-1 : M/s. Venkatakrishna Kumar  
For Respondent-2 : Died vide order dated 25.04.2024.

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### **JUDGMENT**

No representation for the appellant.

2.Mr.Venkatakrishna Kumar, learned Counsel for the Respondent No.1 is before this Court.

3.When the case was listed before this Court on **11.06.2025**, this Court observed as follows:-

“Mr.G.Sivashankaran, learned Counsel for the appellant and Mr.Ashok Chakravarthy, learned Counsel for the first respondent are before this Court.

2.Learned Counsel for the appellant reported 'no instructions'. To that effect, he has filed a Memo dated 11.06.2025.

3.In view of the Memo filed by the learned Counsel for the appellant, Registry is directed to print the name of the appellant in the cause list and list the matter on 30.06.2025”.



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4.Despite name printed, the sole appellant did not appear before this Court. The appellant was called absent. No representation for the appellant. Hence, this Appeal Suit is dismissed for default. Considering the relationship between the parties there shall be no order as to costs.

**07.07.2025**

MSM

To

The XV Additional City Civil Court,  
Chennai.



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**R. SAKTHIVEL, J**

MSM

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