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A.S.No.12 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-02-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

A.S.No.12 of 2022

S.Venkatesh Babu
Proprietor, S/o K.A.Sundaram Chettiar,
Carrying on business in Textiles in the name and style of
Sundaram,
Perambur,
Chennai 600 011

Appellant

-Versus-

T.M.Thomas @ Thomas Raj
Carrying on business in the name and style of
M/s T.M.T. Clothing,
No.91/87, Sanjaj Nagar,
1st Sreet, Vysarpadi,
Chennai 600 039

..... Respondent

Appeal filed under Section 96 of the Code of Civil Procedure, 1908,
praying to set aside the judgement and decree dated 09.08.2021 made in
O.S.No.4543 of 2018 on the file of the learned XV Additional Judge, city Civil
Court, Chennai.



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For Appellant : No Appearance

*[M/s.A.E.Ravichandran,
N.Anbazhagan, D.Vishnu
Varadhan & V.Susila]*

For Respondent : Mr.J.Arul Prakasam

JUDGEMENT

This appeal suit is at the instance of the plaintiff challenging the dismissal of his money suit.

2. Today, when the appeal suit was called, there was no representation on behalf of the appellant/plaintiff. On the last hearing, it was seen from the records that the learnt counsel on record for the appellant had submitted that they had already sent a notice to the appellant on 03.12.2024 requesting him to receive the case bundle back. A photocopy of the postal acknowledgement card was also produced on the last date of the hearing. Considering the above, this court had directed the Registry to print the name of the appellant on the cause list and post the matter on 06.02.2025.

3. Despite the name of the appellant having been printed on the cause list, there has been no representation on behalf of the appellant either in person or through any counsel. Thus, it appears that the appellant is not interested in



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pursuing the appeal further. Hence, this court is inclined to dismiss the appeal suit for non-prosecution of the matter.

4. Accordingly, the appeal suit is dismissed for non-prosecution by the side of the appellant/plaintiff. Considering the facts and circumstances of the case, there shall be no order as to costs.

Index : yes / no
Neutral Citation : yes / no

06..02..2025

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To

1.The XV Additional Judge, City Civil Court, Chennai.



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N.SATHISH KUMAR.J.,

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