

S.A.No.1367 of 2003

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 21.01.2025

CORAM:

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

S.A.No.1367 of 2003
and
C.M.P.No.12179 of 2003

Christhudas ...Defendant/Respondent/Appellant

-Vs-

Dennis ...Plaintiff/Appellant/Respondent

Prayer: Second Appeal filed under Section 100 of the Civil Procedure Code, against the Judgment and Decree in A.S.No.14 of 2002, dated 20.12.2002 on the file of the II Additional Subordinate Judge, Nagercoil pursuant to the Judgment and Decree, dated 08.03.2002 in O.S.No.548 of 1998 on the file of the Additional District Munsiff, Nagercoil.

For Appellant : Mr.K.Sreekumaran Nair

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JUDGMENT

This Second Appeal has been filed against the Judgment and Decree in A.S.No.14 of 2002 dated 20.12.2002 on the file of the II Additional Subordinate Judge, Nagercoil pursuant to the Judgment and Decree, dated 08.03.2002 in O.S.No.548 of 1998 on the file of the Additional District Munsiff, Nagercoil.

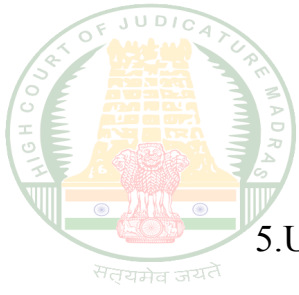


S.A.No.1367 of 2003

WEB COP 2.On perusal of records, it is noticed that for non-payment of batta, this Court by an order dated 15.04.2014 directed to pay batta on or before 29.04.2014, failing which the concerned appeal shall stand dismissed automatically in respect of the respondent.

3.In pursuance of the order of this Court, the appellant has not paid batta on or before 29.04.2014. Therefore, as per order of this Court, the appeal is dismissed automatically. But, Inadvertently, again the matter has been listed before this Court and again this Court by an order dated 12.07.2023 directed to pay batta within 3 days, failing which, the petition shall stand dismissed automatically as against the sole respondent without any further reference to Court.

4.The appellant has not paid batta as directed by this Court within 3 days. In pursuance of the order of this Court, the appeal is dismissed automatically as against the sole respondent. Again inadvertently, the matter was placed before this Court on 28.11.2024 and ordered to fresh notice to the respondent. Again, the appellant has not paid batta to the respondent for issuing notice.



S.A.No.1367 of 2003

5.Under these circumstances, this Second Appeal stands dismissed. No

costs. Consequently, connected miscellaneous petition is also closed.

21.01.2025

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
RJR

To

- 1.The II Additional Subordinate Court, Nagercoil.
- 2.The Additional District Munsiff Court, Nagercoil.
- 3.The Section Officer,
V.R. Section,
Madurai Bench of Madras High Court, Madurai.



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S.A.No.1367 of 2003

V.SIVAGNANAM. J,

RJR

S.A.No.1367 of 2003

21.01.2025