



S.A.Nos.580 & 587 of 2003

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: **01.07.2025**

CORAM

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

S.A.Nos.580 & 587 of 2003

and

C.M.P.No.5274 of 2003

S.A.No.580 of 2003:

1.Muthukumar

2.Minor Ramesh

3.Minor Suresh

Minor Appellants 2 and 3
represented by their mother
and guardian Meenambal.

... Defendants 3 to 5/
Respondents 2 to 4/
Appellants

Vs.

1.S.Subramanian

2.Mahamayee

... Plaintiffs & D-2/
Appellant & R-2/
Respondents

PRAYER : Second Appeal filed under Section 100 of the Civil Procedure Code, 1908, against the judgment and decree, dated 11.02.2022 in A.S.No.33 of 2001 on the file of the Principal District Court, Pudukottai, reversing the judgment and decree in counter claim in



S.A.Nos.580 & 587 of 2003

O.S.No.271 of 1997 on the file of the Court of Principal District Munsif,
Pudukottai, dated 20.10.2000.

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For Appellants : No appearance

For Respondents : No appearance

S.A.No.587 of 2003:

1.K.Vijayakumar

2.K.Kamalesh Babu

Both the appellants are
represented by their power of
attorney,
Mary Stella Dass.

... Defendants 1 and 2/Appellants
Appellants

Vs.

1.K.Annammal

... Plaintiff/1st Respondent/
1st Respondent

2.K.A.Thomas

3.Sankaran

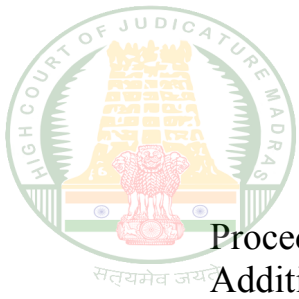
4.Chidambara Vadivu

... Defendants 3 to 5/
Respondents 2 to 4/
Respondents 2 to 4

*(The respondents 2 and 4 / the defendants 3 and
5 remained ex parte in both the suit and the first
appeal)*

*(The respondents 2 and 4 remained ex parte in
the Courts below and hence, they are given up)*

PRAYER : Second Appeal filed under Section 100 of the Civil



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Procedure Code, 1908, against the judgment and decree of the learned II Additional District Judge, Nagercoil passed in A.S.No.75 of 2001 on 24.06.2002, confirming the decree and judgment of the Trial Court, the learned Additional District Munsif, Nagercoil passed in O.S.No.391 of 1981 on 31.01.1997.

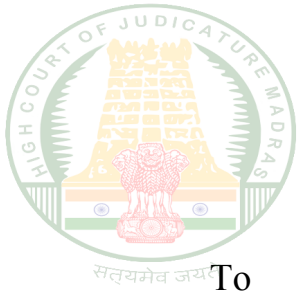
For Appellants : No appearance
For R-1 : Mr.K.Sreekumaran Nair

COMMON JUDGMENT

The learned Counsel appearing for the appellants in S.A.No.580 of 2003 filed a Memo reporting “No instructions” on 27.06.2025. The Registry was directed to print the names of the appellants. In S.A.No.587 of 2003, there was no representation on the side of the appellants on 27.06.2025. Hence, the matter is listed today under the caption “For Dismissal”. Even today, there is no representation on the side of the appellants in either appeal. Therefore, both Second Appeals stand dismissed for default. There shall be no order as to costs. Consequently, connected Miscellaneous Petition stands closed.

01.07.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
BTR



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To
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- 1.The Principal District Court,
Pudukottai.
- 2.The Principal District Munsif,
Pudukottai.
- 3.The II Additional District Judge,
Nagercoil.
- 4.The Additional District Munsif,
Nagercoil.
- 5.The Section Officer,
Vernacular Record Section,
Madurai Bench of Madras High Court,
Madurai.



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S.A.Nos.580 & 587 of 2003

R.VIJAYAKUMAR, J.

BTR

Judgment made in
S.A.Nos.580 & 587 of 2003

Dated:
01.07.2025