



WEB COPY



S.A.NO.1484 OF 2003

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :27/03/2026

CORAM

THE HONOURABLE MR. JUSTICE R.SAKTHIVEL

S.A.NO.1484 OF 2003
AND C.M.P.NO.13443 OF 2003
AND C.M.P.NO.1837 OF 2004
AND C.M.P.NO.5686 OF 2005

M/s.Indian Oil Corporation Limited,
G-9, Aliarjung Marg,
Bandra (East),
Mumbai – 51.

...Appellant/Appellant/
1st Defendant

Vs.

1.Arockya Mary

2.Lawrence

3.J.Ashok Kumar

4.J.Domenic Xavier

5.J.Amala Devi

6.Marry Malarkody

7.Lissy Thresa
1 to 7 are residing at
No.23, Amman Koil Street,
Karayanchavadi,
Poonamallee, Chennai – 56.

...Respondents 1 to 7/
Respondents 1 to 7/ Plaintiffs 1 to 7

8.M/s.Vijaya Agencies,

Page No.1 of 6



S.A.NO.1484 OF 2003

Represented by its Managing Partner,
Mr.M.Shanmugham,
No.474, Poonamallee High Road,
Chennai – 56.

... Respondent No.8/ Respondent No.8
2nd Defendant

9.P.Sundararajan
R9 impleaded as 9th Respondent vide
Order of Court dated November 03,
2004 made in C.M.P.No.14329 of
2004 in S.A.No.1484 of 2003

...9th Respondent

PRAYER: Second Appeal filed under Section 100 of Code of Civil Procedure, 1908, praying to set aside the Judgment and Decree dated December 20, 2001 passed in A.S.No.27 of 2001 on the file of the Learned Additional District Judge, Fast Track Court No.IV, Poonamallee setting aside the Judgment and Decree dated January 02, 2001 made in O.S.No.1661 of 1989 on the file of the Learned District Munsif Court, Poonamallee.

For Appellant	:	No appearance
For Respondents- 1 to 7	:	Mr.R.Thiagarajan
For Respondents-8 & 9	:	Dismissed vide Order of Court dated February 08, 2023

JUDGMENT

No representation on either side.

Daily Order dated March 26, 2026 reads thus:

*“The daily order dated March 5, 2026 which reads
thus:*

“No representation on either side.

2.List the matter on 16.03.2026.

*3.However, with a view to adhere the principles of
natural justice and in the interest of justice, this Court is*



WEB COPY



S.A.NO.1484 OF 2003

inclined to adjourn the second appeal to 16.03.2026. It is made clear that “No Further Adjournment” will be granted on that day”.

The daily order dated March 13, 2026 which reads thus:

Mr.M.Vijaymehanath, representing M/s.Anand, Abdul & Vinodh Associates, Counsel on record for the Appellant is before this Court.

2.No representation for the Respondents 1 to 7.

3.Representing Counsel for the Appellant seeks one week time to get acquaintance with the case.

4.Request acceded to.

5.List the matter on 26.03.2026.

6.It is made clear that no further adjournment will be granted on that date.

3.Despite sufficient opportunities given, the appellants and the respondents did not proceed with the appeal.

4.List the matter on March 27, 2026 under the cause list caption “For Dismissal”.”

3.Despite sufficient opportunities given, both the parties did not choose to appear and argue the Second Appeal. Under such circumstances, this Court has no other option except to dismiss the Second Appeal for non-prosecution. Accordingly, the Second Appeal is dismissed for non-prosecution. Considering the facts and circumstances of the case,



S.A.NO.1484 OF 2003

there shall be no order as to costs. Consequently, connected Civil

Miscellaneous Petitions are closed.

27/03/2026

Index : Yes / No
Speaking Order : Yes / No
Neutral Citation : Yes / No
pam



S.A.NO.1484 OF 2003

To
WEB COPY

- 1.The Additional District Judge, Fast Track Court No.IV, Poonamallee.
- 2.The District Munsif Court, Poonamallee.



WEB COPY



S.A.NO.1484 OF 2003

R. SAKTHIVEL, J.

pam

S.A.NO.1484 OF 2003

27/03/2026

Page No.6 of 6