



S.A.NO.220 OF 2003

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.03.2026

CORAM

THE HONOURABLE MR. JUSTICE R.SAKTHIVEL

SECOND APPEAL NO.220 OF 2003

Govindasamy Padayachi
Son of Mandhri Padayachi
Tholeeswarapuram,
Thungapuram, Perambalur Taluk.

... Appellant /
Appellant /
Plaintiff

Vs.

1.Palanisamy Padayachi (Died)
Son of Chandrahasa Padayachi

2.Subramaniam
Son of Palanisamy

3.Ramaiyan
Son of Palanisamy

4.Murugesan
Son of Palanisamy

Respondents 1 to 4 are residing at
Tholeeswarapuram,

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Thungapuram, Perambalur Taluk.

5.Jagadambal

Wife of Ponnusamy Pillai

Kilimangalam Village,

Thittakudi Taluk, South Arcot District.

... Respondents /
Respondents /
Defendants

6.Chinnammal (Died)

Wife of Palanisamy Padayachi

7.Bhavanapathi

Wife of Chinnadurai

D/o. Palanisamy Padayachi

8.Chinnapenn

Wife of Jothi

D/o. Palanisamy Padayachi

9.Aruvambal

D/o. Palanisamy Padayachi

10.Anbazhagi

W/o.Selvarasu

D/o. Palanisamy Padayachi

11.Pandian

S/o. Palanisamy Padayachi

12.Azhagudurai

S/o. Palanisamy Padayachi

RR6 to 12 are residing at :

Tholeeswarapuram,

Thungapuram, Perambalur Taluk.



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(R1 died. RR6 to 12 brought on record as legal heirs of the deceased R1 vide Court Order dated October 18, 2022 made in CMP No.1190 of 2005 in S.A.No.220 of 2003)

(R6 died. RR2 to 4 and 7 to 12 already on record are recorded as legal heirs of the deceased R6. Memo recorded vide Court Order dated June 27, 2025 made in S.A.No.220 of 2003)

PRAYER: Second Appeal filed under Section 100 of the Code of Civil Procedure, 1908, praying to set aside the Judgment and Decree dated April 30, 2002 made in A.S.No.61 of 2002 on the file of the Additional District Judge cum Chief Judicial Magistrate, Perambalur confirming the Judgment and Decree dated January 20, 1995 made in O.S.No.158 of 1992 on the file of Additional District Munsif, Ariyalur.

For Appellant	:	No appearance
For Respondents	:	No appearance

J U D G M E N T

When the matter was listed before this Court on March 3, 2026
this Court observed as follows:

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'Mr.P.Sathishkumar, representing M/s.Sarvabhauman Associates, learned Counsel on record for the appellant is before this Court and submits that he has no instructions from the appellant. To that effect, the learned Counsel does file a Memo and the same is recorded.

2.In view of the Memo, Registry is directed to print the name of the appellant in the next listing date.

3.List the matter on 12.03.2026.'

2.Pursuant to the aforesaid Order, the appellant's name has been printed in the cause list. Despite name printed in the cause list, the appellant did not choose to appear before this Court and contest the Second Appeal. Hence, this Court has no other option except to dismiss the Second Appeal for non-prosecution.

3.Accordingly, the Second Appeal is dismissed for non-prosecution. Considering the facts and circumstances, there shall be no order as to costs.

12.03.2026

TK



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To

1.The Additional District Judge
cum Chief Judicial Magistrate
Perambalur.

2.The Additional District Munsif
Ariyalur.

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R.SAKTHIVEL, J.

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