



S.A.No.1582 of 2005

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05/03/2026

CORAM:

THE HONOURABLE MR. JUSTICE R.SAKTHIVEL

S.A.No.1582 of 2005

Dhanavel,
S/o.Kaliaperumal,
Therkiruppu Village & Post,
Via Perperiyankuppam,
Vridhachalam Taluk.

... Appellant/Appellant/
Plaintiff

Vs.

1.Sundararajan,
S/o.Subrapadayachi,
Karuvankuppam Village,
Aladi Post,
Vridhachalam Taluk.

...1st Respondent/Respondent/
Defendant

2.Govindaraj,
S/o.Adimoola Padayachi,
AladiMaduraguruvin Kuppam Village,
Cuddalore District.

... 2nd Respondent/
Subsequent Purchaser

(R2 impleaded vide Court Order dated
January 12, 2023 made in
C.M.P.No.1211 of 2007 in
S.A.No.1582 of 2005)

PRAYER : Second Appeal filed Under Section 100 of Code of Civil

Procedure, 1908, praying to set aside the Judgment and Decree dated

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November 23, 2004 made in A.S.No.57 of 2004 on the file of the Principal District Court, Cuddalore confirming the Judgment and Decree dated December 20, 2002 in O.S.No.7 of 1992 on the file of the Additional Sub Court, Vridhachalam.

For Appellant : No appearance
For Respondent-1 : Mr.R.Sunilkumar
For Respondent-2 : Not ready in notice

JUDGMENT

There is no representation on either side.

2.Daily Order dated March 02, 2023 reads thus:

“The learned counsel for the appellant reports no instructions for the appellant.

2.The Registry is directed to issue notice to the appellant and print the name of the appellant in the cause list.

3.List the matter after two weeks.”

3.Daily Order dated January 03, 2025 reads thus:

“Today, when the matter taken up for hearing, Mrs.R.Meenal, learned counsel for appellant appeared and submitted that as still she is holding the vakalat, she wanted to get instructions. Hence, she seeks time.

2.Considering her request, post the matter on 24.01.2025.

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3.The learned counsel for respondent appeared.”

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4.As it could be seen from the above, despite sufficient opportunities given, the Appellant 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 default. Accordingly, this Second Appeal is dismissed for default. Considering the facts and circumstances of the case, there shall be no order as to costs.

05/03/2026

Index : Yes
Speaking Order : Yes
Neutral Citation : Yes
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R. SAKTHIVEL, J.

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To

- 1.The Principal District Court, Cuddalore.
- 2.The Additional Sub Court, Vridhachalam.

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