



Second Appeal No.778 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.03.2026

Coram

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

Second Appeal No.778 of 2021

and

C.M.P.No.15177 of 2021

1.A.Poovathal
2.M.Palaniammal

.. Appellants

Vs.

1.N.M.Vana Muthusamy
2.Dr.N.M.Saraswathi
3.N.M.Jothimani

.. Respondents

Second Appeal filed under Section 100 of the Code of Civil Procedure praying to set aside the decree and judgment of the First Appellate Court passed in A.S.No.54 of 2018, dated 19.02.2020 on the file of the III Additional District and Sessions Judge, Erode, Gobichettipalayam, confirming the judgment and decree in O.S.No.145 of 2016 dated 01.08.2018 on the file of the Subordinate Judge, Sathiyamangalam.

For Appellants : Mr.Shangar Murali

For Respondents : Mr.N.Chinnaraj for R1
No Appearance for R2 and R3



JUDGMENT

It is seen from the records, when the second appeal came up for hearing on 12.03.2026, the same was adjourned at the request of the learned counsel for the appellants on 17.03.2026.

2. On 17.03.2026 also at the request of the learned counsel for the appellants, the matter was adjourned to 25.03.2026.

3. When the matter came up for hearing on 25.03.2026, there was no representation for the appellants in the forenoon as well in the afternoon. Hence, in order to give an opportunity to the appellants, the Registry is directed to list the matter under the caption 'for dismissal' on 27.03.2026.

4. Today, the second appeal is posted under the caption 'for dismissal'. Though the learned counsel appearing for the appellants appeared through video conference, he is not ready to argue the appeal, inspite of the fact the second appeal is listed under the caption "for dismissal". The sequence of Court proceedings recorded above would make it clear, the appellants are not ready to prosecute the second appeal.



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5. In view of the same, second appeal is dismissed for default. There shall be no order as to costs. Connected civil miscellaneous petition is closed.

27.03.2026

Index: Yes/No
NCC:Yes/No
Speaking Order/Non-speaking order
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To

1.The III Additional District and Sessions Judge, Erode,
Gobichettipalayam.

2.The Subordinate Judge, Sathiyamangalam.



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S.SOUNTHAR, J.
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