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S.A.NOS.358, 359 & 360 OF 2004

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 10.04.2026**

**CORAM**

**THE HONOURABLE MR. JUSTICE R.SAKTHIVEL**

**S.A.NOS.358, 359 AND 360 OF 2004**

B.Munisamy Chetty  
S/o. Muniappa Chetty  
Konugoor Village and Post,  
Kuppam Taluk, Chittoor District,  
Andhra Pradesh.

... Appellant /Appellant /Defendant  
in all Second Appeals

***Vs.***

B.T.Thimmaiah  
S/o. Thimmaiah Gowdu  
Bairagoundanoor Village,  
Naralapalli Post, Krishnagiri Taluk,  
Dharmapuri District.

... Respondent/Respondent/Plaintiff  
in all Second Appeals

**PRAYER:** Second Appeals filed under Section 100 of the Code of Civil Procedure, 1908, praying to set aside the Judgment and Decree dated November 15, 2002 made in A.S.No.46 of 2001, A.S.No.48 of 2001 and A.S.No.47 of 2001 respectively, on the file of the Principal District Court, Dharmapuri at Krishnagiri, confirming the Judgment and Decree dated July 31, 2001 made in O.S.No.14 of 1998, O.S.No.15 of 1998 and O.S.No.13 of 1998 respectively, on the file of the Sub Court, Krishnagiri.

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For Appellant : No appearance  
(In all SAs')

For Respondent : Mr.M.Srihari  
(In all SAs') for Mr.V.Nicholas

### **COMMON JUDGMENT**

Daily Order dated March 12, 2026 and April 6, 2026 of this

Court, reads thus:

**'12.03.2026**

*'Ms.S.P.Nirmala, representing Mr.D.Shivakumaran, learned Counsel on record for the Appellant in all the Second Appeals and Mr.S.Srihari, representing Mr.V.Nicholas, learned Counsel on record for Respondent, are before this Court.*

*2.At request of the representing Counsel for the Appellant, these Second Appeals are adjourned to 06.04.2026. It is made clear that no further adjournment will be granted on that date.'*

**06.04.2026**

*Mr.A.Satheesh, representing Mr.D.Shivakumaran, Counsel on record for the Appellant is before this Court.*

*2.Representing Counsel for the Appellant in all the appeals submits that Counsel on record does report no*



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*instructions. To that effect, Counsel on record has filed a Memo in the Registry today. The submission is recorded.*

*3.Registry shall print the name of the Appellant in the cause list in the next listing date.*

*4.List these appeals on 10.04.2026.'*

Pursuant to the Order of this Court dated 06.04.2026, the name of the appellant in all the Second Appeals has been shown in the cause list. The appellant is called absent and there is no representation for the appellant. Hence, this Court has no other option except to dismiss these Second Appeals for non-prosecution. Accordingly, these Second Appeals are dismissed for non-prosecution. Considering the facts and circumstances of the case, there shall be no order as to costs.

**10.04.2026**

Index : Yes / No  
Neutral Citation : Yes / No  
Speaking Order : Yes / No  
TK  
To

1.The Principal District Court  
Dharmapuri at Krishnagiri.

2.The Sub Court  
Krishnagiri.

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**R.SAKTHIVEL, J.**

TK

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**10.04.2026**

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