



SA(MD)No.671 of 2009

THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.02.2026

CORAM:

THE HONOURABLE MRS.JUSTICE N.MALA

S.A.(MD).No.671 of 2009

and

M.P.No.1 of 2009

Pitchaimuthu

... Appellant/
1st respondent/Defendant

Vs

1.Sakthivel
2.Arumugam

... Respondents 1 & 2/
Appellants 1 & 2/
Plaintiffs 2 & 4

3.S.Rajendran

...3rd Respondent/
2nd Respondent/3rd Plaintiff

PRAYER: Second Appeal filed under Section 100 of the Civil Procedure Code, to set aside the judgment and decree passed in A.S.No.94 of 2005 on the file of the learned 1st Additional District Judge, Trichirapalli dated 21.01.2009 reversing the judgment and decree passed in O.S.No.2588 of 1988 on the file of the 1st Additional District Munsif Court, Trichirapalli dated 06.11.2002.



SA(MD)No.671 of 2009

For Appellant : No Appearance

For R1 to R3 : Mr.S.Srinivasa Ragavan

JUDGMENT

When the matter was taken up for hearing on 10.12.2025, the learned counsel for the appellant on record filed a memo stating that at request of the appellant, the entire case bundle was returned. The said memo was recorded and the Registry was directed to remove the name of the learned counsel for the appellant in the cause list. Thereafter, the matter was directed to be listed on 20.01.2026. On that day, Mr.Hari Vaishnav, learned counsel representing the appellant submitted that he was instructed by the legal heirs of the deceased sole appellant to take steps to implead them as parties in the second appeal. Hence, the matter was adjourned to 16.02.2026.

2. On 16.02.2026, when the matter was taken up for hearing, there was no representation for the appellant. Therefore the Registry was directed to list the matter under the caption "For Dismissal" on 18.02.2026 [i.e.] today. Even today, there is no representation for the



SA(MD)No.671 of 2009

WEB COPY

appellant. It appears that the appellant is not interested in prosecuting the case. Hence, this Second Appeal is dismissed for non-prosecution. No costs. Consequently, the connected miscellaneous petition is closed.

18.02.2026

NCC : Yes/No
Index : Yes/No
Internet : Yes/No
sn

TO:

- 1.The 1st Additional District Court,
Trichirapalli.
- 2.The 1st Additional District Munsif Court,
Trichirapalli.
- 3.The Section Officer,
VR Section,
Madurai Bench of Madras High Court, Madurai.



WEB COPY



SA(MD)No.671 of 2009

N.MALA, J.

Sn

Judgment made in
S.A.(MD)No.671 of 2009

Dated:
18.02.2026