

A.S.(MD)No.66 of 2014

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.07.2025

CORAM:

THE HON'BLE MR JUSTICE K.K. RAMAKRISHNAN

A.S.(MD)No.66 of 2014
and M.P.(MD).No.1 of 2014

1.P.Suresh
2.P.Mahesh

... Appellants/Plaintiffs

Vs.

1.Palavesamuthu Nadar
2.Shanmugapillai (Died)
3.Dhanushmathi
4.S.Pushpavalliyammal
5.M.S.Murugan
6.M.S.Chockalingam
7.S.Krishnan Alias Annamalai

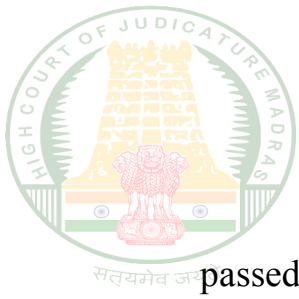
... Respondents/Defendants

(Respondents 4 to 7 are brought on record as LR's of the deceased 2nd Respondent vide Court order dated 15.03.2024 made in C.M.P.(MD).No. 11880 of 2023)

8.M.Shanmugam
9.M.Pushpavalli

(Respondents 8 to 9 are brought on record as LR's of the deceased 2nd Respondent vide Court order dated 22.03.2024 made in C.M.P.(MD).No. 3792 of 2024)

Prayer: The Appeal Suit has been filed under Section 96 of Civil Procedure Code, to set aside the Judgment and Decree dated 01.04.2014,



A.S.(MD)No.66 of 2014

passed in O.S.No.42 of 2011 on the file of the I Additional District Court,
Tuticorin.

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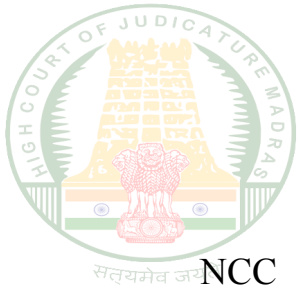
For Appellant : No Appearance

For Respondents : Mr.D.Nallathambi for R4 ot R9
No Appearance for R1 & 3

ORDER

Even the matter has been repeatedly adjourned for several times the counsel for the appellant is not ready to argue the matter. The learned counsel for the appellant has filed a memo dated 15.07.2025, stating that even though they informed their party about the hearing of the case, there was no response from their party and they have no instructions to conduct the case. Therefore, this Court ordered notice to the appellant returnable by 29.07.2025. On that day, since there was no representation for the appellant, the case was ordered to be posted today under the caption 'for dismissal'. Even today (i.e., 30.07.2025), there is no representation for the appellant. In view of the above this appeal suit is dismissed for non prosecution. No costs. Consequently, connected miscellaneous petition is closed.

30.07.2025



A.S.(MD)No.66 of 2014

NCC :yes/No

Index :yes/No

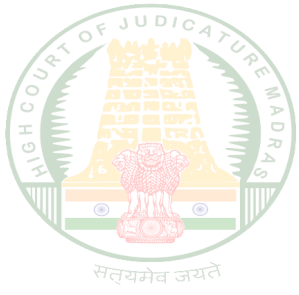
Internet:yes/No

TM

To

1.The I Additional District Judge, Tuticorin.

2.The Section Officer,
E.R.Section/V.R.Section,
Madurai Bench of Madras High Court, Madurai.



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A.S.(MD)No.66 of 2014

K.K. RAMAKRISHNAN, J.

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A.S.(MD)No.66 of 2014

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