

S.A.No.1675 of 2003

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.03.2026

CORAM

THE HON'BLE MS.JUSTICE R.POORNIMA,

SA.No.1675 of 2003

1.Muthu Nadar

2.Saraswathy

... Appellants

Vs.

1.Retnammal

2.Bagavathy Ammal

3.Gopala Kurukkal (died)

4. Nagammal

5.Ayyappan Kurukkal

6.Monikkam Asari

7.Jayalakshmi

8.Vignesh

9.Vineesh

... Respondents

(Respondents 7 to 9 are brought on record as the legal heirs of the deceased 3rd respondent vide order dated 18.10.2016 made in M.P.(MD)No.1 of 2015.)



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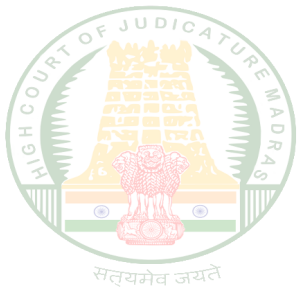
PRAYER : Second Appeal filed under Section 100 Cr.P.C., to set aside the judgment and decree passed by the Subordinate Judge, Padmanabhapuram, in A.S.No.166 of 1997, dated 27.03.2003 pursuant to the judgment and decree passed in O.S.No.5 of 1996 dated 25.06.1997, passed by the Additional District Munsif Court, Eraniel.

For Appellant : Mr.V.Meenakshi Sundaram
for Mr.K.Sreekumaran Nair

For Respondents : Mr.K.N.Thampi – for R2, R4 to R6

JUDGMENT

On perusal of records, it shows that the matter was already heard and reserved for judgment on 24.03.2025 itself. Thereafter, it is found that some of the documents are in Malayalam and in spite of repeated order, the appellants not filed the translated copy of the documents and also they are not ready, even the matter was posted for hearing number of times. Even today also the learned counsel for the appellant is not ready to argue the matter. It shows that the appellant is not interested in pursuing the appeal on merits and in view of the same, second appeal is liable to be dismissed for non-prosecution.



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2. In view of the above, this second appeal is dismissed for non-prosecution. No costs.

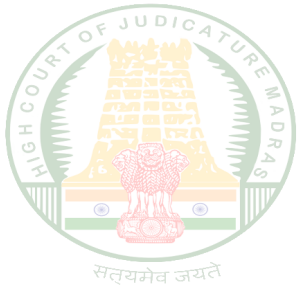
11.03.2026

NCC : Yes / No
Index : Yes / No

RM

To

- 1.The Subordinate Judge,
Padmanabhapuram.
- 2.The Additional District Munsif Court,
Eraniel.
- 3.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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R.POORNIMA, J.

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