



S.A.No.903 of 1996

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.06.2023

CORAM:

THE HONOURABLE MRS.JUSTICE R. HEMALATHA

S.A.No.903 of 1996

1. Periasamy Kounder (Died)

2.Kandasamy

... Appellants

..Vs..

1. Kamakshi

2.Sambath

3.Kalaivani

4.Kanagavallai

5.Prakash

6.Sundaram

7.Kanthi

... Respondents

(2nd appellant brought on record as LRs of the deceased sole appellant vide order of Court dated 19.12.2007 made in C.M.P.Nos.3407 to 3409 of 2007 in S.A.No.903 of 1996)

PRAYER : Second Appeal filed under Section 100 C.P.C., against the decree and judgment dated 31.08.1995 in A.S.No.3 of 1993 on the file of the District Court, Villupuram, affirming the decree and judgment dated 08.04.1992 in O.S.No.48 of 1989 on the file of the Sub Court, Villupuram.

For Appellant : Mr.N.Suresh

For RR1, 5 to 7 : Mr.S.Krishnaswamy



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R. HEMALATHA, J.

mtl

JUDGMENT

A perusal of the records shows that the order passed by this Court on 03.12.2009 has not been complied with by the appellant with regard to payment of batta for the respondents 2 to 4. Since the second appeal is of the year 1996, I do not find any reason to keep the appeal pending. In view of the same, the Second Appeal is dismissed for non prosecution. No costs.

28.06.2023

Index : Yes/No

Internet : Yes/No

mtl

To

1. The District Court, Villupuram.
2. The Sub Court, Villupuram.
3. The Section Officer, V.R. Section, High Court, Madras.

S.A.No.903 of 1996