

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.03.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

S.A.No.1557 of 2011

and

M.P.No.1 of 2011

1. M/s.Sowmia Finance,  
Rep. by its Partner Mr.B.K.Rajendran,  
No.604, Ponaiarajapuram, Coimbatore.
2. Mr.B.K.Rajendran
3. Mr.C.M.Ramaraj  
CBM & Co.,  
709, Raja Street, Coimbatore.
4. Mr.B.V.Sekar,  
Rajalakshmi & Co.,  
Big Bazar Street, Coimbatore.
5. Mr.N.K.Ramaswamy,  
Meenakshi Arecanut Co.,  
R.G. Street, Coimbatore-1.
6. Mr.K.M.Sathiamoorthy,  
K.C.M. & Sons,  
R.G. Street, Coimbatore-1
7. Mr.K.Ramaswamy ... Appellants/Appellants 1,2,4 to  
8 / Defendants 1,2,4 to 8

Vs.

1. Mr.M.Sivanandam
2. Mr.M.Dhanabalan ..Respondents 1&2/ Respondents /  
Plaintiffs
3. Mr.V.Durai Balan ..3rd Respondents/ 3rd Appellants/  
3rd Defendants

Second Appeal filed under Section 100 of the Civil Procedure Code against the judgment and decree dated 11.07.2011 in A.S.No.10 of 2011 on the file of the First Additional District Court, Coimbatore, against the judgment and decree dated 06.07.2010 in O.S.No.106 of 2006 on the file of the Second Additional Sub-Court, Coimbatore.

For appellants : Mr.L.Mouli  
For respondents : Mr.N.Damodaran for RR-1 and 2  
Not ready in notice regarding R-3

JUDGMENT

It is represented by the learned counsel for the appellants that he has no instructions from the appellants. Learned counsel for the appellants submitted that he has sent a letter dated 16.03.2017, which was received by the second appellant on behalf of the first appellant on 21.03.2017 and inspite of the same, as there was no response, learned counsel reports before this Court that he has no instructions. The learned counsel has filed a Memo dated 28.03.2017 to the above effect. The attitude of the appellants in not responding to the said letter of the learned counsel, only shows that the appellants are not interested in pursuing the appeal. Accordingly, while recording the said memo, the Second Appeal is dismissed. No costs. The Miscellaneous Petition is closed.

Sd/-  
Asst.Registrar (CS V )

/true copy/

Sub Asst. Registrar

To

1. The First Additional District Court, Coimbatore.
2. The Second Additional Sub-Court, Coimbatore.
3. The Record Keeper, V.R. Section, High Court, Madras.

+1 cc to Mr.N.Damodaran, advocate,sr.19815.

pvs (co)  
krd 12/4

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