

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 24.11.2016

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

C.S.No.1018 of 1999

M/s. Meena Jawahar Palaniappan .. Plaintiff

Versus

1. P.V.Parthasarathy (deceased)
2. P.Saroja
3. P.Srinivasan
4. P.Varadarajan
5. Lakshmi Vijayaraghavan
(Defendants 2 to 5 are brought on record
as LRs of the deceased sole defendant
as per order dated 30.09.2010 in
Appl.No.5164 of 2006) ... Defendants

For Plaintiff : M/s.G.Rajan
For Defendants : M/s.R.Amizhdhu

The plaint is filed and numbered as Civil Suit under order IV Rule 1 of OS Rules r/w Order VII Rule 1 of CPC, praying for a judgment and decree:

directing the defendant to pay a sum of Rs.25,33,030.60 with future interest at the rate of 18% per annum of the said amount from the date of plaint to date of realization.

JUDGMENT

Today, when the matter came up for hearing, the

learned counsel appearing for the plaintiff seeks adjournment for two weeks time, to mark the documents before the learned Additional Master I.

2. On perusal of the notice paper of the learned Additional Master I, it appears that PW1 has been examined on 02.02.2016, wherein he has requested very short time for marking documents. From 02.02.2016 to till now, despite several opportunities given by the learned Additional Master I, PW1 has not completed his evidence. Even today, when the matter came up before this Court, the learned counsel for plaintiff seeks for another two weeks time. The conduct of the plaintiff clearly shows that he is not interested in prosecution of the suit and moreover the suit is also of the year 1999. Therefore, this Court is not inclined to grant any further time. Hence, the suit is dismissed for default. No costs.

sd/.N.S.K.J

24.11.2016

//Certified to be a true copy//

Dated this the day of 2017

R.s/11.07.2017

COURT OFFICER

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