

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.11.2016

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

C.S.No.520 of 2010

And

A.Nos. 2919/2010 & 607/2012

1. Kalatheeswaran

2. Rajasekaran

... Plaintiffs

Vs.

1. Mrs. Valarmathi

2. Smt. Sankari

3. Smt. Geetha

4. Smt. Devi

5. P.Ganesh

6. Smt. Rajeswari

7. Smt. Puspavathi

8. K.R.Venugopalan

9. Mrs.Meena

10. K.S.Babu

11. Selvi
12. Malar
13. Sudar

... Defendants

PRAYER : This Civil Suit filed under Order IV Rule 1 O.S. Rules read with Order VII Rule 1 CPC, praying for the following reliefs:

(a) direct partition all the properties mentioned in item Nos. 1 to VI in the schedule together in common and share 1/4th equal share to the plaintiffs along with the 6th defendant, 11th defendant, 12th defendant and 13th defendant allotting the portion or portions as the plaintiffs and the 6th defendant, 11th defendant, 12th defendant and 13th defendant are put in use and deliver possession by metes and bounds of each of the properties for the convenient enjoyment of each party with all the damages to the party who is eligible to the extent taken into account the advantage, disadvantage, prominence and market value of each property;

(b) Award mesne profit to the extent the plaintiffs and 6th, 11th, 12th and 13th defendants are eligible to the extent of Rs.30,000/- per month from 01.10.2006 till this date totaling in all Rs.10,80,000/-;

© to relegate the proceedings to the separate proceedings for determining the future profit; and

(d) award the cost of the suit.

For Plaintiffs : R.Loganathan

JUDGMENT

The learned counsel appearing for the plaintiffs has made an endorsement in the plaint that he has not received any further instructions from the plaintiffs.

2. As directed earlier, the names of the plaintiffs have been printed.

There is no representation on behalf of the plaintiffs.

3. Hence, the suit is dismissed for non prosecution. Consequently, connected applications are closed. No costs.

10.11.2016

vsg

C.V.KARTHIKEYAN ,J.

vsg

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