

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 09.03.2017

CORAM

THE HONOURABLE Mr.JUSTICE P.KALAIYARASAN

C.S.No.1003 of 2009

M/s.Arihant Shelters [India] Ltd.,
Rep. by its authorised signatory
Mahaveeer,
No.18, 21st Avenue,
Ashok Nagar, Chennai-83.

... Plaintiff

Vs

1.M/s.Tokushu Menon Paper Manufacturing Co. Ltd.,
Rep. by its Managing Director,
Raj Kumar Menon,
No.29/12, Santhome High Road,
Mylapore, Chennai-4.

2.M/s.Annai Builders,
Rep. by its Director,
Narayanan,
No.158, Medavakkam Main Road,
Madipakkam, Chennai-91.

... Defendants

Plaint filed under Order IV Rule 1 of Original Side Rules of the High Court read with Section 26 and Order VII Rule 1 of CPC, 1908 r/w Order IV Rule 1 & 2 of the O.S.Rules praying to pass a Judgment and Decree against the defendants directing the 1st defendant to fulfill its obligations as per the Agreement of Sale dated 23.02.2005, by specifically performing its part of the Agreement of Sale dated 23.02.2005 by executing and registering Sale Deed or Deeds in respect of the suit schedule mentioned property in favour of the plaintiffs/their nominees

and register the same on a date to be fixed by this Hon'ble Court and in default direct the Court Registry to execute and register the Deed or Deeds of sale in respect of the plaint schedule property in favour of the plaintiff or their nominees at the expense of the plaintiff or in the alternative direct the refund of the total sale consideration paid by the plaintiff to the 1st defendant being a sum of Rs.2,00,00,000/-; for a permanent injunction restraining the 1st defendant or their men, agents, servants or any person claiming through or under them or authorised by them from alienating the schedule mentioned property in any manner and to direct the 1st defendant to pay the cost of this suit.

For Plaintiff : M/s.BFS Legal

J U D G M E N T

Though the matter is posted today under the caption 'for dismissal', learned counsel for the plaintiff is not ready to get along with the case. Hence, this suit is dismissed for non prosecution. No costs.

09.03.2017

gya

P.KALAIYARASAN, J.

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