

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.10.2017

CORAM

THE HONOURABLE MR. JUSTICE **R.SUBRAMANIAN**

C.S.No.1032 of 2009

P.Muralikrishna,
Proprietor,
Sruthilaya Constructions,
Plot No.14, Flat No.1, Sruthilaya Apartments,
Venkatesa Nagar, 1st Street (Extn),
Saligramam,
Chennai-600 093.

... Plaintiff

.Vs.

1.A.Abraham Selvakumar,
No.3, 17, Nanchil Flats,
New Colony, 4th Street,
Adambakkam, Chennai-600 088.

2.Dena Bank,
rep.by its Regional Manager,
Chennai Regional Office,
32, Venkatesan Street,
T.Nagar, Chennai-600 017.

... Defendants

PRAYER : The Civil Suit filed Under Order VII Rule 1 of Civil Procedure Code read with Order IV rule 1 of O.S.Rules.

a) for a declaration that the plaintiff is the absolute owner of the superstructure of schedule mentioned property;

b) directing the 1st defendant to pay the plaintiff a sum of Rs.10,88,628/- together with subsequent interest @ 12 % per annum on Rs.10,88,628/- from the date of plaint to till date of realization consequently grant a charge decree over the schedule mentioned property for due realization of the above decreetal amount;

c) for a declaration the mortgage said to have been created by the 1st defendant in favour of the 2nd defendant is null and void and consequently the purported proceedings against the schedule mentioned property under SARFAESI Act is null and void;

(d) for a permanent injunction restraining the 2nd defendant and their officials, from in any way proceeding against the schedule mentioned property under the purported provisions of SARFAESI Act in any manner whatsoever.

(e) Directing the defendants to pay costs of this suit and grant such other and further reliefs.

For Plaintiff : No Appearance
For Defendants : No Appearance

JUDGMENT

Since, the witness was not present before the Additional Master on 21.03.2017, the matter was listed before this Court on 04.10.2017. As none appeared for the plaintiff on 04.01.2017, I had directed the matter to be posted under the caption 'for dismissal' on 06.10.2017. Even today, none appears for the plaintiff. Hence, the suit is dismissed for default. No costs.

06.10.2017

Index:No

Internet:Yes

KP

To

<http://www.judis.nic.in>

The Sub Assistant Registrar,
Original Side,
High Court, Madras.

R.SUBRAMANIAN,. J.

KP



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