

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 08.02.2017

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

C.S.No.612 of 2010

1. J. Dhanasekaran
2. J.Rajalinganathan
3. J.Jeyanand

.. Plaintiffs 1 to 3

Versus

1. Viswam
2. Kumar
3. Prakash
4. Prabhu
5. Amutha
6. Sugantha
7. Kamala
8. Kaveri

.. Defendants 1 to 8

PRAYER : The Civil Suit filed Under Order IV Rule 1 of O.S. Rules read with Order VII Rule 1 of Civil Procedure Code praying for the following reliefs :

(i) for specific performance of the agreement for sale dated 19.08.2006 entered into between the plaintiff and the defendants by directing the defendants to execute a sale deed in favour of the plaintiffs in respect of the property described in the schedule hereunder free from all encumbrances.

ii) in default, directing such officer or officers of this Hon'ble Court to execute the sale deed, conveying the suit property in favour of the plaintiffs free from all encumbrances and

iii) for directing the defendants to pay the cost of the suit

For Plaintiff : M/s.S.V.K. Thampi

For Defendants : 1 to 7 – Ex-parte

J U D G M E N T

The defendants 1 to 7 were set ex-parte by this Court on 05.01.2017. On 14.10.2017, the suit had been dismissed by the learned Master against the 8th defendant. The plaintiff was requested to appear before the learned Additional Master – I to record ex-parte evidence. It is seen that the matter was posted on 11.01.2017, 20.01.2017 and 23.01.2017 and the plaintiff was not present and did not give evidence. Hence the matter was posted before this Court on 30.01.2017. Again there was no representation. On 08.02.2017 (today), it is posted under the caption “for dismissal”. Hence, the suit is dismissed for default. No costs.

08.02.2017

Index:yes/no
Internet:yes
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To
The Sub Assistant Registrar,
Original Side,
High Court, Madras.

C.V.KARTHIKEYAN, J.

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**Judgment in
C.S.No.612 of 2010**

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