

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.04.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAVINDRAN

C.S.No.572 of 2012

M.Madan Kumar

.. Plaintiff

Vs.

1. M.Mannar Mani
2. M.Rajaveni Ammal
3. V.Kalaiselvi
4. M.Usharani
5. P.Venkatesa Babu
6. Syndicate Bank
Rep. by Senior Manager,
Aminjikai Branch, Chennai- 29.

.. Defendants

Prayer : - Civil Suit has been filed under Order IV Rule 1 of O.S.Rules r/w Order VII Rule 1 of C.P.C praying for judgment and decree as follows:-

a) granting a decree for the preliminary decree by declaring 1/4th share of the plaintiff's share on the plaintiff A,B,C & D schedule properties described hereunder.

b) granting final decree by appointing an advocate commissioner to divide the suit properties by metes and bounds and allot 1/4th share on the suit A,B,C and D properties and granting decree for mesne profits;

c) directing the defendants 1 and 2 herein to render proper accounts in respect of amounts paid by the plaintiff for 2003 to 2011 as referred to in para 14 of the plaint;

d) award cost of the suit and

e) pass such further or other orders.

For the plaintiff : Mr.Manoj for Mr.G.Jeremiah

JUDGMENT

Defendants were already set ex-parte.

2. Thereafter, the matter was referred to the learned Additional Master- I, for recording ex-parte evidence, on the side of the plaintiff. After recording of ex-parte evidence, the matter was again listed

before the Court for further proceedings.

3. In support of the plaintiff's case, PW-1 has been examined and Exs.P1 to P5 have been marked. The evidence of PW-1 and documents marked as Ex.P1 to P5, remain unchallenged.

4. On perusal of the above oral and documentary evidence, it is found that the plaintiff has established his claim and entitled to obtain partition and separate possession of 1/4th share in the plaint scheduled properties as claimed in the plaint.

5. Resultantly, Preliminary Decree is passed in favour of the plaintiff as prayed for. No costs.

19.04.2017

Speaking order/Non speaking order

Index : Yes/No

Internet : Yes/No

adl

T.RAVINDRAN, J.

adl

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19.04.2017

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