

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.06.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAVINDRAN

C.S.No.764 of 2012

Raniammal

.. Plaintiff

Vs.

1. Dhanammal
2. Valliammal
3. T.Balusamy
4. T.Shanthi
5. Muniammal @ Mohanapriya
6. Raniammal
7. Ramu Naicker
8. Vijaya
9. Poornima
10. Mangayarkarasi

.. Defendants

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

a) to declare sale deed dated 20.03.2000 executed by the defendants 3 to 6 in favour of the 10th defendant as null and void

b) to pass a preliminary decree for partition by the division of the schedule property in to five shares by metes and bounds and allotting one share to the plaintiff.

C) for appointment of commissioner for effecting partition in terms of the preliminary decree

d) for cost of this suit

e) granting such further or other relief's

For the Plaintiff : No appearance

For the Defendant -10 : Mr.K.V.Sundararajan

JUDGMENT

Counsel for the tenth defendant present.

2. The matter was referred to the Master for recording evidence after issues have been framed. However, inasmuch as the plaintiff has not evinced interest to let in evidence in support of her case, despite sufficient opportunities provided, the learned Master has referred the matter before this Court for further orders.

3. Accordingly, the matter was listed before this Court on 15.06.2017. It is found that there was no representation for the plaintiff. Accordingly, this Court has directed the Registry to list the matter under the caption " for dismissal", finding that the plaintiff was not ready to prosecute the suit further.

4. Even today, there is no representation for the plaintiff. It is thus made clear that the plaintiff is not ready to prosecute the suit further. Accordingly, the Civil Suit is dismissed for non-prosecution with costs.

20.06.2017

Speaking Order / Non Speaking Order
Index : Yes /No
Internet : Yes/No
adl

T.RAVINDRAN, J.

adl

C.S.No.764 of 2012

20.06.2017