

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.06.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAVINDRAN

C.S.No.50 of 2013 and A.No.651 of 2013

Mr.D.Jose Danial

.. Plaintiff

Vs.

1. Mr.M.Arunath
2. Mr.M.Gunalan
3. Mr.M.Subramani
4. Mr.M.Mahadevan

.. Defendants

Prayer : Civil Suit has been filed under Order IV Rule 1 of the Original Side Rules of the Madras High Court 1956 R/W Order VII Rule 1 of Civil Procedure Code praying for judgement and decree as follows:-

a) directing the defendants jointly and severally to pay to the plaintiff a sum of Rs.30,00,000/- (Rupees Thirty Lakhs only) together with interest at the rate of 18% from the date of plaint;

b) directing the defendants to pay cost of the suit;

c) grant such further reliefs or relief.

For the Plaintiff : Mr.K.Elangoo

JUDGMENT

The Civil Suit laid by the plaintiff for damages.

2. The defendants have already suffered a decree in O.S.No.10810 of 2010. Accordingly, the defendants have deliberately preferred false complaint against the plaintiff and thereby, the defendants have created loss to the plaintiff and consequently, the plaintiff is seeking damages. Hence, the plaintiff laid the suit against the defendants.

3. Defendants, after entertaining the suit, failed to contest and accordingly, they were set ex-parte and the matter was listed before the learned Master for recording ex-parte evidence in support of the plaintiff's case.

4. 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 Exs.P1 to P5, are perused cumulatively. The plaintiff has established and justified his claim in seeking the recovery of the suit amount from the defendants for the damages sustained by him on account of the loss mentioned above.

5. Resultantly, case of the plaintiff had been proved and the Civil Suit is decreed as prayed for with costs. Consequently, connected application is closed.

21.06.2017

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

T.RAVINDRAN, J.

adl

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