

IN THE HIGH COURT OF JUDICATURE AT MADRASDATED: **13.12.2018**

CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR**C.S.No.946 of 2008**

Arihanth Foundations &
Housing Limited,
Rep. by its Managing Director
Kamal Lunawath
having office at Door No.25,
Ganapathy Colony III Street,
Teynampet, CIT Nagar,
Cenatoph Road, Chennai - 18.

..... Plaintiff

Vs.

1. P.Guru Vittal
2. P.Murali Vittal
3. P.Loganatha Vittal
4. Yamuna Mohan
5. P.G.Ramesh Babu
6. Ramathilakam
7. P.K.Ashok Kumar
8. P.K.Chandrasekara Kumar
9. Hemantha Kumar
10. P.K.Purushothaman
11. S.Suguna
12. S.Hemalatha

..... Defendants

Civil Suit filed under Order VII Rule 1 CPC read with Order IV Rule 1 of the Original Side Rules, directing the defendants 1 to 4 to execute a deed of absolute sale in favour of plaintiff after receipt of the balance of sale consideration by a date to be fixed by this Court and in default of the defendants 1 to 4 doing so, this Court may be pleased to execute the sale deed on behalf of the defendants 1 to 4 and directing the defendants 1 to 4 and defendants 6 to 12 to put the plaintiffs in possession of the suit property.

For Plaintiff : No Appearance

For Defendants : Mr.V.G.Suresh Kumar for D2

ORDER

This Court by order, dated 23.11.2018 passed the following order :

When the case is called, no one is appearing for the plaintiff. Mr.Premkumar, learned counsel for D2 submits that, even though D3, D6 and D7 died, no steps so far have been taken by the plaintiff to bring the LRs on record of the said defendants. Therefore in order to take steps by the plaintiff to bring the LRs of the deceased D3, D6 and D7, three weeks time is given for the plaintiff, within which if no steps are taken suitable further orders would be passed. Post the matter on 13.12.2018.

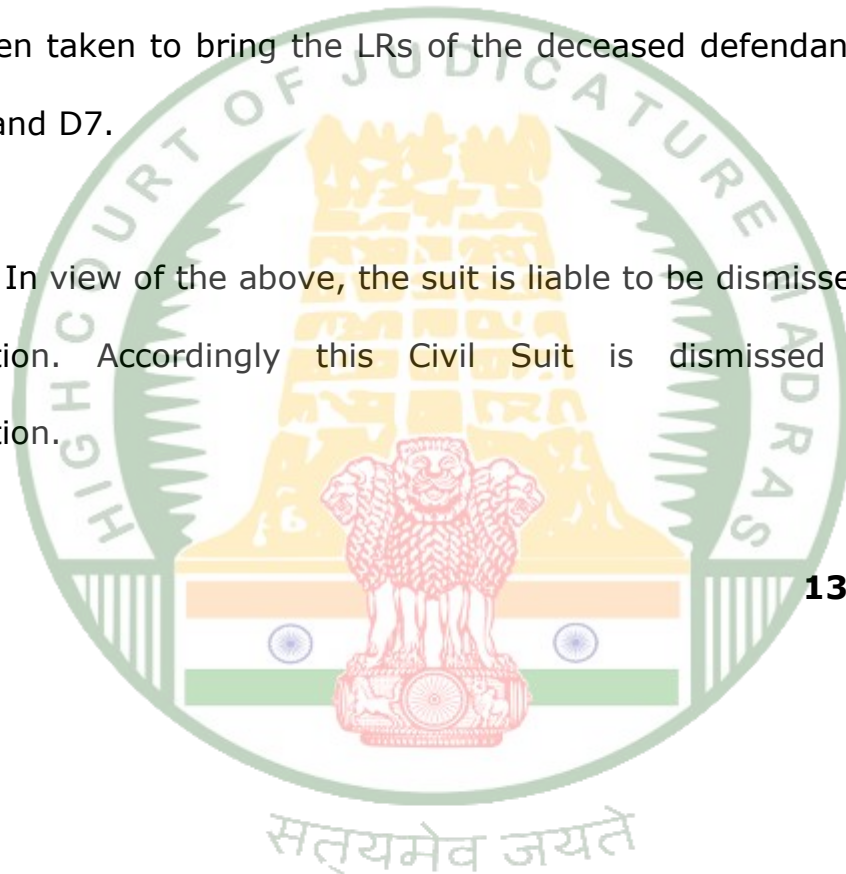
2. Accordingly the case is taken up for hearing today. However today also no one is appearing for the plaintiff.

3. In spite of enough opportunity given to the plaintiff, he has not chosen to appear before this Court through pleader and no steps have been taken to bring the LR's of the deceased defendants such as D3, D6 and D7.

4. In view of the above, the suit is liable to be dismissed for non-prosecution. Accordingly this Civil Suit is dismissed for non-prosecution.

13-12-2018

tsvn



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R.SURESH KUMAR, J

tsvn



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