

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.12.2018

CORAM :

THE HONOURABLE MR. JUSTICE R. SURESH KUMAR

C.S.No.289 of 2006

B.Ramachandran @ Sreeraj

... Plaintiff

.Vs.

1.B.Govindaraj
2.B.Mohanarajan
3.S.R.Vijayalakshmi
4.V.Pankaj Ammal
5.V.Lakshmipathy
6.Shanthi
7.Shreekala

... Defendants

Plaint filed under Order IV Rule 1 of Original Side Rules read with Order VII Rule 1 of Civil Procedure Code, praying to pass a judgment and decree

i) declaring that the plaintiff and defendants 6 and 7 are jointly entitled to the suit schedule properties

ii) directing the defendants 1 and 5 jointly and severally to deliver possession of the Items 1 and 2 of the suit schedule immovable properties to the plaintiff and defendants 6 and 7;

iii) directing the defendants 2 and 3 jointly and severally to deliver the Items 4 to 10 of the suit schedule movable properties to the plaintiff and defendants 6 and 7;

iv) directing the defendants 2 and 3 to render true and proper accounts for amounts, assets and deposits with accrued interest and

profits standing in the name of the deceased, R.Kanakavalli Ammal individually or in the joint names of Kanakavalli Ammal with 3rd defendant or others in banks, mills, companies, institutions and with debtors, or any other person or in any source and to deliver the assets/instruments and/or to pay the amount in cash with banker's quarterly rests till date of payment to the plaintiff and defendants 6 and 7;

v) granting permanent injunction restraining the defendants 1 to 5, or their agents, representatives or any body claiming through them or acting on behalf of them jointly, and severally in any way including relying on the will dated 19.12.2003 of Kanakavalli Ammal from encumbering, alienating or dealing with Items 1 to 3 of suit schedule properties.

vi) directing the defendants 1 to 5 to pay the costs of the suit to the plaintiff.

For Plaintiff : No appearance

For Defendants : No appearance

J U D G M E N T

This case came up for hearing on 12.11.2018. On that day, the learned counsel appearing for the plaintiff, reported no instructions from the plaintiff and therefore, it was directed to be listed on 27.11.2018, with the name and address of the plaintiff. On that day, i.e. on 27.11.2018, when the case was called, no one was appearing, therefore, it was directed to be listed today, i.e. 05.12.2018, under the

caption "For dismissal".

2. When the case is called today, there is no appearance for the plaintiff.

Hence, this suit is dismissed for default.

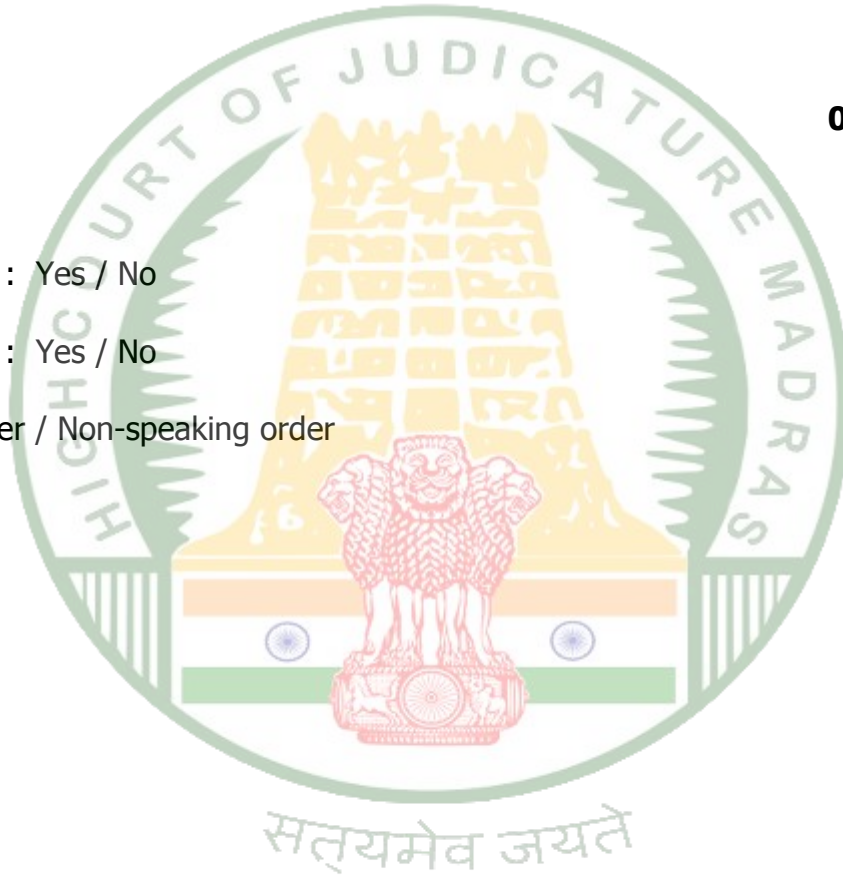
05.12.2018

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Index : Yes / No

Internet : Yes / No

Speaking order / Non-speaking order



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R. SURESH KUMAR, J.

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