

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.10.2018

CORAM

THE HON'BLE Dr. JUSTICE ANITA SUMANTH

CS. No.469 of 2014

and

OA. No.580 of 2014

V.K.Gopalakrishnan ..Plaintiff

Vs.

1.Shree Dwaraka Doss Goverdhan Doss &
Sowbhagyavathi Ganga Bai Memorial

Trust Rep. By its Trustees

No.229, N.S.C. Bose Road,

George Town, Chennai 600 001.

2.Chennai Metropolitan Development Authority

Rep. By its Member Secretary,

Gandhi Irwin Road, Egmore,

Chennai 600 008.

3.The Commissioner,

Corporation of Chennai,

Rippon Buildings, Chennai 600 003. ..Defendants

PRAYER:

Plaint in the Suit filed under Order VII Rule 1 of OS Rules read with Order VII Rule 1 of the C.P.C. to pass a Judgment and Decree against the defendants:

a. For a declaration that the Plaintiff is entitled to unrestricted right of way over the Schedule [B] mentioned property for ingress and egress to the Plaintiff's property and morefully described in the Schedule [A] hereunder.

b. For a mandatory injunction directing the 2nd Defendant to demolish the illegal ramp that is being constructed by the 1st Defendant on the private common road, which is more fully described in schedule [B] hereunder and leading to the Plaintiff's property and more fully described in the Schedule [A]here under.

Dr.ANITA SUMANTH,J.

c. for a permanent injunction restraining the 1st Defendant, its men, agents or any person claiming under the 1st Defendant from in any manner putting up any construction on the private Common Road, which is more fully described in Schedule [B] hereunder.

d. For the cost of the suit;

For Plaintiff : Mr.Sriram for

M/S.A.S. Kailasam and Associates

For Defendants : No Appearance.

J U D G M E N T

Memo is filed by the learned counsel for the plaintiff Mr.Sriram, to the effect that the suit has been

settled out of Court. The names of the defendants/respondents are printed in the cause list, however, there is no appearance on their behalf.

2. Recording the same and placing the memo on file, the suit is decreed as settled out of Court. Consequently, the plaintiffs are entitled to refund of the Court Fee and may seek refund of the same from the Registry. Connected application is also closed.

05.10.2018

ska/rkp

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