

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 23.11.2020

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

C.S.No.171 of 2007

Minor Deepika Murugappan
Represented by Mother Guardian and Next Friend,
Visalakshi Thiagarajan Murugappan,
464 Spadina Road,
Apartment # 1,
Toronto, Ontario'
M5P 2W4.

... Plaintiff

Vs

Mr.Murugappan Ram Murugappan
C/o.MRM Photo,
Vairam Complex,
112, Sir Thegaraya Road,
T.Nagar,
Chennai - 600 017.

... Respondent

Prayer: Suit under Order IV Rule 1 of O.S. Rules of High Court Madras read with Order VII Rule 1 C.P.C., 1908, praying to grant a judgment and decree against the defendants (a) grant a decree of partition dividing the property more fully described in the schedule of properties to this plaint by meets and bounds and allotting the plaintiff 1/2 share each in the said property; (ii) Directing the defendant to pay mesne

profits to the plaintiff for use and occupation of the plaint schedule properties from the date of plaint; (iii) That the cost of this suit be borne by the defendant.

For Plaintiff :No representation

For Respondent :No representation

ORDER

Today, the matter is listed under the caption "for dismissal", taking into account the fact, that there was no representation on behalf of the plaintiff and the defendant on 09.10.2020 and 14.10.2020, thereafter, on 05.11.2020. It is also seen that when the suit filed in the year 2007, the plaintiff was aged 10 years and the suit has been pending for the last 13 years. The plaintiff who had turned a major in the year 2015 has not taken steps to have herself declared a major and discharged her guardian. Even today, when the matter is called the plaintiff has not appeared before this court either in person or through her counsel. Hence, this suit is dismissed for default.

WEB COPY

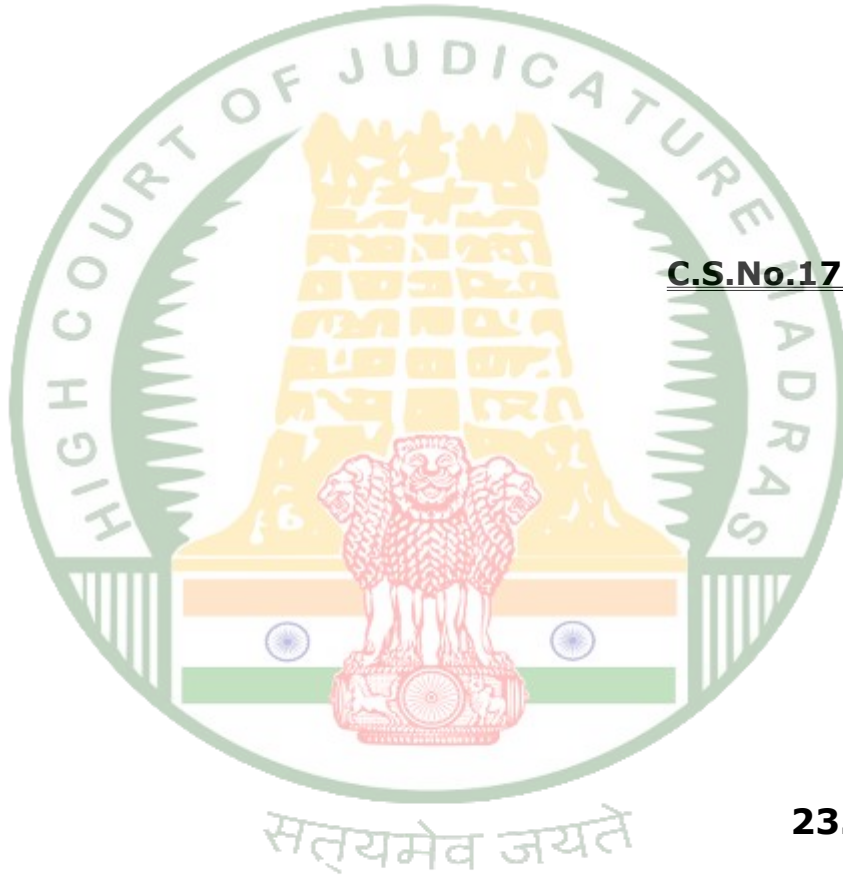
23.11.2020

ub

P.T.ASHA, J.,

C.S.No.171 of 2007

ub



C.S.No.171 of 2007

23.11.2020

WEB COPY