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IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

WEDNESDAY, THE 16TH DAY OF DECEMBER 2020

THE HON'BLE MS. JUSTICE P.T.ASHA

C.S. No.598 of 2010

1. Ms.R.Lakshmi,

2. Ms.R.Srividya,
both residents at No.30/113,
Abiramapuram IV Street,
Chennai-600 018.

... Plaintiffs

-Versus-

1. P.Rajagopal,
No.18, Ramalingam Nagar 1st Street,
Natesan Nagar, Virugambakkam,
Chennai-92.

2. P.Maharajan,
No.379/4, Natesan Nagar 1st Main Road,
Virugambakkam, Chennai-92.

3. P.Swaminathan,
No.379/4, Natesan Nagar 1st Main Road,
Virugambakkam, Chennai-92.

4. P.Sivasubbu,
No.379/4, Natesan Nagar 1st Main Road,
Virugambakkam, Chennai-92.



5. Tamil Nadu Mercantile Bank,

rep. by its Manager,

No.3, Thiruvalluvar Salai,

Thiruvananthapuram, Chennai-600 041.

... Defendants

Civil Suit praying that this Hon'ble Court be pleased to pass a judgment and decree declaring that:-

a) document styled as sale deed dated 27.02.2007 registered as Document No.516 of 2007 on the file of SRO, Mylapore as vitiated by fraud, null and void and not binding on the plaintiffs;

b) mortgage by deposit of title deed, registered as Document No.2061 of 2007, on the file of SRO, Mylapore in favour of the 5th defendant as vitiated by fraud and void ab initio and not binding on the plaintiffs;

c) grant permanent injunction restraining the defendants, their men, servants, agents or any one claiming under them from in any manner alienating, encumbering or dealing with the suit schedule property by disturbing the possession of the plaintiff.

This Suit coming on this day before this court for hearing in the presence of Mr.K.Vaidyanathan for Mr.C.Shankar, advocates for the defendants herein and for the plaintiffs herein having not appeared in person or by advocate and upon reading the plaint filed herein and this



court is of the view that in the light of the judgment passed in C.S. No.774 of 2009, nothing survives for further consideration in this suit as well, it is ordered as follows:-

That the suit in C.S. No.598 of 2020 be and is hereby dismissed as settled out of court.

2. That there shall be no costs of this suit.

WITNESS THE HON'BLE THIRU AMRESHWAR PRATAP SAHI,
CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE
16th DAY OF DECEMBER 2020.

Sd/-

ASSISTANT REGISTRAR (O.S.I)

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.



KLY-03/02/2021

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C.S. No.598 of 2010

ORDER:-

DATED: 16.12.2020

THE HON'BLE MS. JUSTICE
P.T.ASHA

FOR APPROVAL:25.05.2022

APPROVED ON :25.05.2022



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.12.2020

CORAM:

THE HON'BLE MS.JUSTICE P.T.ASHA

C.S.No.598 of 2010

1.Ms.R.Lakshmi

2.Ms.R.Srividya

... Plaintiffs

Vs.

1.P.Rajagopal

2.P.Maharajan

3.P.Swaminathan

4.P.Sivasubbu

5.Tamil Nadu Mercantile Bank,
Represented by its Manager,
No.3, Thiruvalluvar Salai,
Thiruvanmiyur,
Chennai-600 041.

... Defendants

Prayer: This Suit has been filed under Order IV Rule 1 of Original Side

Rules Read With Order VII Rule 1 of CPC.

For Plaintiffs : No Appearance



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For Defendants : Mr.K.Vaidyanathan
for Mr.C.Shankar

ORDER

In the light of the Judgment passed in C.S.No.774 of 2009, nothing survives for further consideration in this suit as well. Hence, this Suit is dismissed as settled out of Court. No costs.

Sd./-P.T.A.J.
16/12/2020

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

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