

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

MONDAY, THE 18TH DAY OF JANUARY 2021

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

A.No.2497 of 2015
and
A.No.6175 of 2014
in
C.S.No.389 of 2002

1.Smt.D.Dharmambal
W/o.T.S.Dorairaj
(Old No.81) New No.10, Abhiramapuram
4th Street, Chennai-600 018.

2.D.Nagarajan
S/o.T.S.Dorairaj
(Old No.81) New No.10, Abhiramapuram
4th Street, Chennai-600 018.

3.D.Subramani
S/o.T.S.Dorairaj
(Old No.81) New No.10, Abhiramapuram
4th Street, Chennai-600 018.

4.Smt.Maya
W/o.Gnanasekaran
Residing at (Old No.81) New No.10, Abhiramapuram
4th Street, Chennai-600 018.

5.Yogeswari
W/o.S.Dhanapalan
Residing at (Old No.81) New No.10, Abhiramapuram
4th Street, Chennai-600 018.

6.Ambika,
W/o.S.Ravichandra Bose
Residing at 5, Flat No.D-7
4th Trust Cross Street,
Mandavelipakkam,
Chennai-600 028.

..Plaintiffs

Plaintiffs No.4, 5 and 6 represented herein by
their Power of Attorney holder Mrs.Dharmambal
1st Plaintiff herein.

-Versus-

1.Dayananda Srinivasa Nayakar
S/o.Srinivasa Nayakar
Old No.14, New No.4, Best Road,
Royapettah, Chennai-600 014.

2.Kulasekaran Srinivasa Nayakar
S/o.Srinivasa Nayakar
Old No.14, New No.4, Best Road,
Royapettah, Chennai-600 014.

3.Loganatha Srinivasa Nayakar
S/o.Srinivasa Nayakar
Old No.14, New No.4, Best Road,
Royapettah, Chennai-600 014.

..Defendants

A.No.6175 of 2014

1.Dayananda Srinivasa Nayakar
S/o.Srinivasa Nayakar
Old No.14, New No.4, Best Road,
Royapettah, Chennai-600 014.

2.Kulasekaran Srinivasa Nayakar
S/o.Srinivasa Nayakar
Old No.14, New No.4, Best Road,
Royapettah, Chennai-600 014.

3.Loganatha Srinivasa Nayakar
S/o.Srinivasa Nayakar
Old No.14, New No.4, Best Road,
Royapettah, Chennai-600 014.

..Applicants/Defendants

Versus

1.Smt.D.Dharmambal,
W/o.T.S.Dorairaj
(Old No.81) New No.10, Abhiramapuram 4th Street,
Chennai-600 018.

2.D.Nagarajan
S/o.T.S.Dorairaj
(Old No.81) New No.10, Abhiramapuram 4th Street,
Chennai-600 018.

3.D.Subramani
S/o.T.S.Dorairaj
(Old No.81) New No.10, Abhiramapuram 4th Street,
Chennai-600 018.

4.Smt.Maya,
W/o.Gnanasekaran
(Old No.81) New No.10, Abhiramapuram 4th Street,
Chennai-600 018.

5.Yogeswari
W/o.S.Dhanapalan
(Old No.81) New No.10, Abhiramapuram 4th Street,
Chennai-600 018.

6.Ambika
W/o.S.Ravichandra Bose
No.5, Flat No.D-7, 4th Trust Cross Street,
Mandavelipakkam, Chennai-600 028.

Application praying that this Hon'ble Court be pleased to condone the delay of 3885 days in filing the application to set aside the ex-party decree passed in 25/11/2003 in C.S.No.389 of 2002 on the file of this Hon'ble Court.

A.No.2497 of 2015:

Mega Funds India Ltd.,
No.60, (Old No.100), IV Street,
Abhiramapuram,
Chennai-18.

..Applicant/3rd Party

Vs

1.Dayananda Srinivasa Nayakar,
S/o.Srinivasa Nayakar

2.Kulasekaran Srinivasa Nayakar,
S/o.Srinivasa Nayakar

3.Loganatha Srinivasa Nayakar (Deceased)
W/o.Srinivasa Nayakar

R1 to R3 Residing at Old No.14, New No.4,
Best Road,
Royapettah,
Chennai-600 014.

..Respondents/Applicants/Defendants

4.Smt.D.Dharamambal,
W/o.T.S.Dorairaj

5.D.Nagarajan,
S/o.T.S.Dorairaj

6.D.Subramani,
S/o.T.S.Dorairaj,

7.Smt.Maya
W/o.Gnanasekaran

8.Yogeswari,
W/o.S.Dhanapalan

R4 to 8 residing at
Old No.81, New No.10,
Abhiramapuram 4th Street,
Chennai-600 018.

9.Ambika,
S/o.S.Ravichandra Bose No.5,
Flat No.D-7,
4th Trust Cross Street,
Mandavelipakkam,
Chennai-600 028.

..Respondents/Respondents/Plaintiffs

Application praying that this Hon'ble Court be pleased to implead the applicant herein as party respondent No.7 in Application No.6175 of 2014 in C.S.No.389 of 2002.

These Applications coming on this day before this court for hearing the court made the following order:

Though, the application in A.No.6175 of 2014 is posted under the caption "for dismissal" there is no representation on behalf of the applicants. Hence, the application in A.No.6175 of 2014 is dismissed for non-prosecution.

2. Considering the fact that the application in A.No.6175 of 2014 is dismissed nothing survives for consideration in A.No.2497 of 2015. Hence the application in A.No.2497 of 2015 is closed.

Sd/-P.T.A.J
18.01.2021

//Certified to be true copy//

Dated at Madras this the day of 2021.

JJ 25/01/2021

COURT OFFICER(O.S.)

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