



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

WEDNESDAY, THE 27TH DAY OF OCTOBER 2021

THE HON'BLE MR. JUSTICE R. SUBRAMANIAN

C.S.No. 731 of 2004

National Buildings Construction
Corporation Limited,
Government of India Enterprise,
Plot No.43, Anjugam Nagar, 2nd Street,
Ashok Nagar, Chennai – 600 083.
Rep by its Power of Attorney Mr.Y.N.Hiriyannaiah

... Plaintiff

-Vs-

1. Econ Engineering Private Limited,
18/3 & 18/4, Second Canal Cross Street,
Gandhi Nagar,
Adyar, Chennai – 600 020.

2. Econ Corporation Limited,
2 Ang Mo Kio Street 64,
Econ Building,
Ang Mo Kio Industrial Park 3,
Singapore – 569084.

... Defendants

Civil suit praying that this Hon'ble Court be pleased to pass a Decree
and Judgment in favour of the Plaintiff as against the Defendants by :

a) directing the Defendants to pay the Plaintiff a sum of
Rs.3,08,00,000/- (Rupees Three Crores and Eight Lakhs only) together with
interest at 24% per annum from the date of filing of the suit till the date of
realization of the same.



b) directing the Defendants to pay the costs of the suit.

WEB COPY

This Civil Suit coming on this day before this court for hearing in the presence of M/s.P.Ambili Menon, Advocate for the Plaintiff herein and Mr.Dr.P.Vasudevan, Advocate for the Defendants herein and upon reading the Plaint filed herein and this Court having observed that the Plaintiff has exhibited total negligence in conduct of the proceedings leaving to the counsel, the plaintiff helpless before the Court, **it is ordered as follows:-**

That the suit in C.S.No. 731 of 2004, be and is hereby dismissed for non-prosecution.

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

WITNESS THE HON'BLE MR. JUSTICE SANJIB BANERJEE,
CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE
27TH DAY OF OCTOBER 2021.

Sd/-

ASSISTANT REGISTRAR (Comm.Cases)

//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.



ED
28.12.2021

C.S.No. 731 of 2004

ORDER:

DATED : 27/10/2021

THE HON'BLE MR. JUSTICE
R. SUBRAMANIAN

FOR APPROVAL: 28/12/2021

APPROVED ON : 10/01/2022



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.10.2021

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

C.S.No.731 of 2004

National Buildings Construction
Corporation Limited,
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Plot No.43, Anjugam Nagar, 2nd Street,
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...Plaintiff

Vs.

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Econ Building,
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Singapore – 569084.

...Defendants

Prayer: Plaintiff filed under Order IV Rule 1 of the High Court original side and Order VII Rule 1 of C.P.C., seeking to direct the Defendant to pay the plaintiff a sum of Rs.3,08,00,000/- (Rupees Three Crores and Eight Lakhs only) together with interest at 24% per annum from the date of filing of the suit till the date of realization of the same and for costs of the suit.

For Plaintiff : Mrs.P.Ambili Menon

– No instructions

For Defendants : Mr.P.Vasudevan



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JUDGMENT

Despite the fact that the suit has been adjourned from April 2021, no progress is shown. Even today, the learned counsel for the plaintiff would submit that she is unable to get documents from the plaintiff. Though cost was imposed for earlier adjournments by order dated 26.08.2021, by accepting the representation of the counsel, the said order was re-called on 01.09.2021.

2.Despite considerable indulgence shown, the plaintiff has exhibited total negligence in conduct of the proceedings leaving to the counsel, the plaintiff helplessness before the Court. Hence, this suit is dismissed for non-prosecution. No costs.

List of witness and documents filed on the side of the plaintiff:

Nil

List of witness and documents filed on the side of the defendants:

Nil

Sd./- R.S.M.J.
27.10.2021

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

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