

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED:29.04.2021**

**CORAM:**

**THE HON'BLE MR.JUSTICE T.RAVINDRAN**

**C.S.No.83 of 2005**  
**and**  
**O.A.Nos.97 & 98 of 2005**

1. T.Jayanthi  
Wife of K.A.Thirumurugan

2. K.A.Thirumurugan,  
Son of K.A.Arumugam,  
No.25, Karaneeswarar Pakoda Street,  
Mylapore,  
Chennai 600 004.

Plaintiffs

Vs.

1. Asirvatham  
S/o, Ponnusamy

2. Viswasam  
S/o, Asirvatham

3. Devaneethi  
S/o,Asirvatham

4. Meshak  
S/o, Asirvatham

5. Benjamin  
S/o, Asirvatham

6. Rupus Nelson  
S/o, Asirvatham

7. Epse Emeema  
D/o, Asirvatham

8. Richard Umbram  
S/o, Asirvatham

9. Linscaronil  
D/o, Asirvatham

1 to 9 residing at  
No.141, Venugopal Street,  
Mogappair,  
Chennai 600 050.

10. Tamil Nadu Housing Board,  
Rep. By its Chairman and  
Managing Director,  
Nandanam,  
Chennai 600 035.

सत्यमेव जयते

WEB COPY

... Defendants

**Prayer:**

Civil Suit is filed under IV Rule 1 of O.S Rules read with Order VII Rule 1 of C.P.C.,1908, to pass a judgment and decree against the defendants.

(a) for a declaration that the defendants 1 to 9 have no right to cancel or revoke the power of attorney dated 11.01.1996 issued in favour of the 2<sup>nd</sup> plaintiff to act as their power agent to deal with the suit property as per the agreement of sale entered by the defendants 1 to 9 with the 1<sup>st</sup> plaintiff

b) for consequential permanent injunction restraining 10<sup>th</sup> defendant from issuing a no objection certificate or re-conveyance deed in respect of the suit property either in favour of the defendants 1 to 9 or in favour of the 3<sup>rd</sup> parties without written consent of the 1<sup>st</sup> plaintiff

c)for consequential permanent injunction restraining the defendants 1 to 9 from alienating or encumbering the schedule mentioned property in any manner with any other 3<sup>rd</sup> party

d) to pay the costs in the suit and to pass such further or other orders.

For Plaintiffs : No appearance

For D10 : No appearance

D1, D2,D3, D4 to D9 : Not ready in notice

\*\*\*\*\*

**JUDGMENT**

In this matter, the counsel for the plaintiffs had already filed the memo informing that the parties had taken back the bundle and the abovesaid memo being taken on record, Registry was directed to issue notice to the plaintiffs and the notices sent to the plaintiffs had been returned as “no such persons in the said address”. In view of the abovesaid position, the Registry was directed to list the matter today, ie., on 29.04.2021, by printing the names of the plaintiffs in the cause list under the caption for dismissal.

2. Today, when the matter is called, there is no representation for the plaintiffs. Plaintiffs called, absent.

3. No representation for the defendants.

4. In the light of the above position, the Civil Suit is dismissed for non-prosecution. No costs. Consequently, connected application, if any, is closed.

mfa  
Index:yes  
Internet:yes

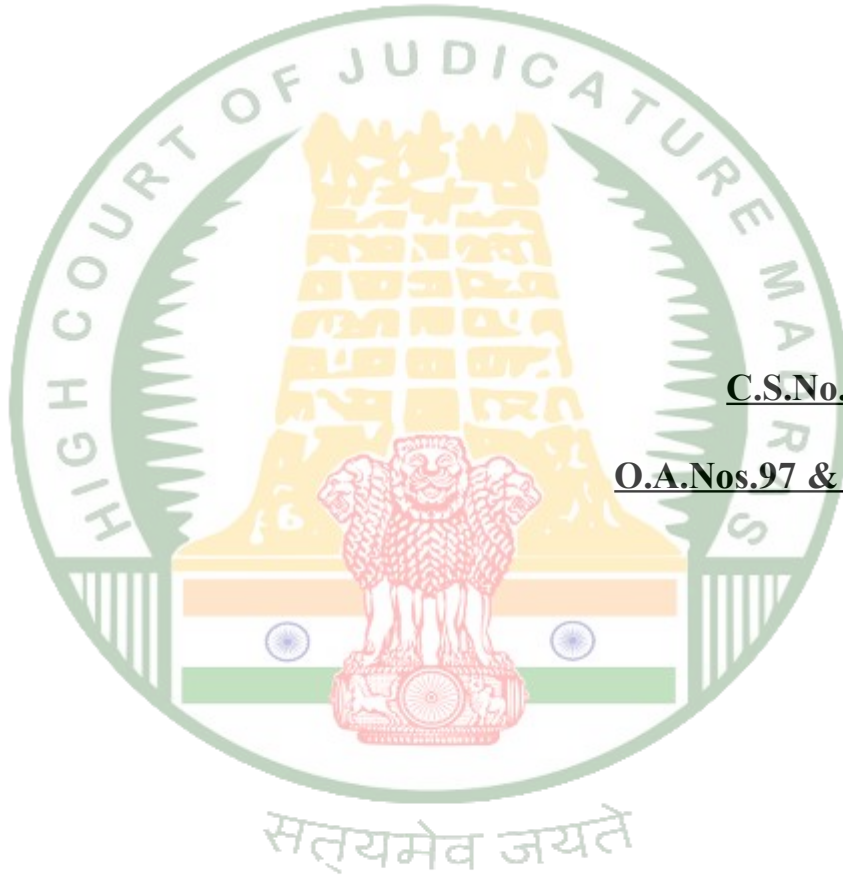


WEB COPY

C.S.No.83 of 2005

**T.RAVINDRAN, J.**

mfa



**C.S.No.83 of 2005**  
**and**  
**O.A.Nos.97 & 98 of 2005**

**WEB COPY** **29.04.2021**