



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

FRIDAY, THE 17TH DAY OF DECEMBER 2021

THE HON'BLE MR. JUSTICE N. SESHASAYEE

C.S.No. 705 of 2011

1. R. Naresh,
S/o. S.N. Raja,
No.22/34, Madhavaperumal Street,
Mylapore, Chennai – 600 004.

2. R. Deepa,
D/o. S.N. Raja,
No.22/34, Madhavaperumal Street,
Mylapore, Chennai – 600 004.

... Plaintiffs

-Vs-

1. S.N. Raja,
S/o. K. Subramanian,
Residing at New No.40, Old No.35,
Nachiappa Chetty Street,
Mylapore, Chennai – 600 004.

2. United Bank of India,
Represented by its Chief Manager & Authorised Officer,
Having Office at 117, Kutchery Road,
Mylapore, Chennai – 600 004.

... Defendants

Civil Suit p that this Hon'ble Court be pleased to pass a Judgment and
Decree against the defendant;

a) Preliminary decree for partition of the suit schedule mentioned
property and allot their 2/3 share in the undivided suit schedule property to
the plaintiffs;



WEB COPY

b) To appoint an Advocate Commissioner for effecting division of the property by metes and bounds and to allot the specified share to each of the plaintiff;

c) A final decree for partition and separate possession of the plaintiffs' 2/3 share in the undivided suit schedule property.

d) Permanent Injunction restraining the defendants herein, or their men, agents, servants, managers, representatives, nominees, attorneys, or assigns from alienating the suit property to any person or persons either by sale, public auction, mortgage, grant, release or by any transfer affecting the title of the plaintiffs;

e) directing the defendants to pay costs of this suit to the plaintiffs.

This Suit coming on this day before this Court for hearing in the presence of M/s.F.B. Benajamin George, Advocate for the Defendants 1 & 2 herein and the Plaintiff herein not appearing in person or by advocate and upon reading the Plaint filed herein, **it is ordered as follows :-**



That the Suit in C.S.No. 705 of 2011, be and is hereby dismissed
for default.

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

WITNESS THE HON'BLE MR. JUSTICE MUNISHWAR NATH
BHANDARI, ACTING CHIEF JUSTICE, HIGH COURT AT MADRAS
AFORESAID, THIS THE 17TH DAY OF DECEMBER 2021.

Sd/-

ASSISTANT REGISTRAR (O.S.II)

//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

23.12.2021

4

C.S.No. 705 of 2011

ORDER

DATED : 17/12/2021

THE HON'BLE MR. JUSTICE
N. SESHASAYEE

FOR APPROVAL: 06/01/2022

APPROVED ON : 12/01/2022



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.12.2021

CORAM

THE HONOURABLE **MR.JUSTICE N.SESHASAYEE**

C.S.No.705 of 2011

1.R.Naresh
S/o. S.N.Raja,

2.R.Deepa,
D/o.S.N.Raja

... Plaintiffs

Vs.

1.S.N.Raja,
S/o. K.Subramanian

2.United Bank of India, represented
By its Chief Manager & Authorised Officer,
having office at 117, Kutcheri Road,
Mylapore, Chennai – 600 004.

... Defendants

Prayer: The Civil Suit has been filed under Order IV Rule 1 of the Original Side Rules read with Order VII Rule 1 of C.P.C. praying for a judgment and decree against the Defendants:

(a) Preliminary decree for partition of the suit schedule mentioned property and allot their 2/3 share in the undivided suit schedule property to the plaintiff;

(b) To appoint an Advocate Commissioner for effecting division of the property by metes and bounds and to allot the specified share to each of the plaintiff;

(c) A final decree for partition and separate possession of the plaintiffs 2/3 share in the undivided suit schedule property;



(d) Permanent Injunction restraining the defendants herein, or their men, agents, servants, managers, representatives, nominees, attorneys, or assigns from alienating the suit property to any person or persons either by sale, public auction, mortgage, grant release or by any transfer affecting the title of the plaintiffs and for costs.

For Plaintiffs : No Appearance

For D1 & D2 : M/s.F.B.Bejamin George

JUDGMENT

None appeared for the plaintiffs. The Plaintiff's name too printed in the cause list.

2.This state of affairs is recurring for sometime now.

3.This Civil Suit stands dismissed for default accordingly. No costs.

Sd./- N.S.S.J.
17.12.2021

//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.