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TOS.No.9 of 2000 and CS.No.722 of 2008

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

TOS.No.9 of 2000

Leonie Joseph

... Petitioner

Vs.

1.Josephine Swamy

2.Maggie Sundara Rajan @ Poppy Sundararajan

3.Regina Alexander @ Regina Martin

... Respondents

Prayer: Complaint under Order VII Rule 1 of CPC, a) to grant Letters of Administration to the plaintiff to have effect through out the whole of Union of India and b) Directing the defendants to pay costs of the suit.

CS.No.9 of 2008

Leonie Joseph

... Plaintiff

Vs.

1.Josephine Swamy

2.Sundara Rajan

3.Kamini Anand



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4. Shalini Ravindran
5. Regina Alexander

... Defendants

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Prayer: Complaint under Order VII Rule 1 of CPC, r/w Order IV, Rule 1 of O.S.Rules, a) granting a decree for partition of the suit property into four equal shares by metes and bounds; and b) directing the defendants to pay the plaintiff the costs of the suit;

COMMON ORDER

When the matter was taken up for hearing on 17.10.2022

there was no representation for both the parties.

2. This Court by referring to the order dated 16.09.2022 wherein a direction was given to the plaintiff to take steps to implead the legal representatives of the deceased first defendant, posted the matter after two weeks. Thereafter, the matter was posted for next hearing on 31.10.2022. On that day there was no representation for both the parties and the steps were also not taken to bring the legal representatives of the deceased first defendant.



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3. Recording the said fact, the matter was adjourned by three weeks. Thereafter, the matter was posted for hearing on 06.12.2022. On that day also there was no representation for both the parties. In order to give an opportunity to the plaintiff, the matter was adjourned under the caption “for dismissal.” Today, the matter appears in the list under the caption “for dismissal” and today also there is no representation for both the parties.

4. Hence, the suits are dismissed for default. No costs.

09.12.2022

Index : Yes / No
Internet : Yes / No
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S.SOUNTHAR , J.

dna

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