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C.S.No.80 of 2002

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

**DATED : 07.03.2022**

**CORAM**

**THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN**

**C.S.No.80 of 2002**

The Federal Bank Ltd.,  
25, Nelson Manicka Mudaliar Road,  
Rajaram Mehta Nagar, Madras-600 029  
Rep. by its Chief Manager.

...Plaintiff

.Vs.

1.Mr. Ilavzhagan,

2.Mrs. V. Rathinam

... Defendants

**Prayer:**

Plaint filed under Order VII Rule 1 of the CPC, 1908 read with Order XXXVII of the Original Side Rules praying for a judgment and decree as follows:-

a) Directing the defendants jointly and severally to pay the plaintiff the said sum of Rs.2,23,612/- together with interest thereon at the rate of 16.25 per cent per annum with quarterly rests from this date until payment and the plaintiff's costs of the suit before a date to be fixed by

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this Hon'ble court and in the event of their failure to do so, ordering the scheduled II property to be sold and applying the net proceeds thereof in satisfaction of the amount of the decree with interests and costs and in the event of deficiency, permitting the plaintiff to obtain a decree against the defendants jointly and severally for the said deficiency, together with interest;

b) Without prejudice to the plaintiff's right of seizure and sale, without the intervention of this Hon'ble Court, directing the sale of scheduled I Goods and Machinery lying at premises of the 1st defendant at No.66, Irusappan Street, Vivekananda Illam, Madras 600 005 and applying the net proceeds thereof in part satisfaction of the amount to be decreed;

c) granting the plaintiff such further or other reliefs as this Hon'ble High Court may, in the circumstances of the case, deems just and necessary.

For Plaintiff : No Appearance

For Defendants : No Appearance

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**JUDGMENT**

When the matter was listed on 09.02.2022, there was no representation on behalf of the plaintiff in the aforesaid suit. Hence, the matter was adjourned to 01.03.2022. When the matter came up for hearing on 01.03.2022, there was no representation for the plaintiff and the Registry was directed to print the name of the Counsel Mr.A.R. Nagarajan & Mrs. S. Jayakumari on behalf of the Defendants 1 & 2 and the matter was directed to be listed on 03.03.2022.

2. When the matter was taken up on 03.03.2022 for hearing, there was no representation for both sides. Hence, the matter was directed to be listed on 07.03.2022 under the caption for dismissal.

3. Despite the same, even today, there is no representation on behalf of the plaintiff and the defendants either through counsel or in person.



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**V.BHAVANI SUBBAROYAN, J.,**

Lbm

4. In view of the above, the aforesaid Civil Suit stands dismissed for non prosecution. No costs.

**07.03.2022**

Lbm

Index : No

Internet : Yes

Speaking order

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