



C.S.No.162 of 2008

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 14.12.2022

CORAM : JUSTICE N.SESHASAYEE

C.S. No.162 of 2008

The Saraswathi Sangam

Represented by its President (Chairman)

C.D.V. Raghavalu and Secretary E.Ramachandran

New No.148 (Old No.28) Pedariyar Koil Street

George Town, Chennai - 600001

.... Plaintiff

Vs

1.S.Dayanidhi

2.T.Guruswami

3.G.Kaleeswari

4.Ramachandran

5.S.Ganesan

6.C.Bose

7.V.Balasubramaniam

8.G.Srinivasan

.... Defendants

Prayer : Civil Suit filed under Order VII Rule 1 of CPC r/w. and Order IV Rule 1 of O.S. Rules, to pass judgment and preliminary decree against the defendants (a) declaring that the impugned Trust Deed dated 18.01.1982 bearing Document No.151 of 1982 is invalid, ab initio, void and unenforceable in Law; (b) declaring that the impugned Sale Deed dated 14.12.1982 bearing Document No.274 of 1983 in favour of Mr.Napoleon and Mr.Sankaralingam (insolvents) is invalid, ab initio, void and unenforceable in Law; (c) declaring that the



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impugned Sale Deed dated 14.12.1982 bearing Document No.275 of 1983 in favour of the second defendant is invalid, ab initio, void and unenforceable in Law; (d) declaring that the impugned Sale Deed dated 14.12.1982 bearing Document No.276 of 1983 in favour of the third and fourth defendants is invalid, ab initio, void and unenforceable in Law; (e) declaring that the impugned Sale Deed dated 14.12.1982 bearing Document No.1126 of 1983 in favour of the fifth defendant is invalid, ab initio, void and unenforceable in Law; (f) declaring that the impugned Sale Deed dated 14.12.1982 bearing Document No.2039 of 1983 in favour of the sixth defendant is invalid, ab initio, void and unenforceable in Law; (g) declaring that the impugned Sale Deed dated 14.12.1982 bearing Document No.2040 of 1983 in favour of the seventh defendant is invalid, ab initio, void and unenforceable in Law; (h) granting permanent injunction against the eighth and ninth defendants and their agents from alienating the property morefully described in the Schedule 'C' hereunder; (i) directing the defendants to pay the plaintiff the costs of the suit; and (j) grant such further or other relief or reliefs as the Hon'ble Court may deem fit and proper in the facts and circumstances of the case.

For Plaintiff : Mr.B.Kaalathinathan

For Defendants : Mr.P.R.Selvaraj
for D2 to D4, D6 & D7
Mr.V.Rajanarayanan
for D8

JUDGMENT



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The learned counsel appearing for the plaintiff has filed a Memo dated 21.11.2022 that they have no instructions from the plaintiff. In view of the same, the suit is dismissed for default. However, there shall be no order as to costs.

14.12.2022

Asr



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N.SESHASAYEE.J.,

Asr

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