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C.S.No.986 of 2010

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.11.2022

CORAM

THE HON'BLE MR.JUSTICE G.CHANDRASEKHARAN

C.S.No.986 of 2010

M/s.Ozone Projects Private Limited
Represented by its authorized signatory
Mr.K.Krishnan
Having their registered office at
No.63, G.N.Chetty Road
T.Nagar, Chennai 600 017.

... Plaintiff

VS.

Mr.S.Jaganatha Pandian
Son of M.V.V.N.Sivanthi
Flat No.4-D
No.1, Subramaniam Street
Abiramapuram
Chennai 600 018.

... Defendant

Prayer: Civil Suit filed under Order IV Rule 1 of Original Side Rules r/w
Section 26 & Order VII Rule 1, Code of Civil Procedure, to pass a judgment
and decree :



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a) directing the defendant to pay a sum of Rs.10,00,00,000/-.

b) to pass an order of permanent injunction restraining the defendant or his men or agent from publishing or circulating any false, defamatory or derogatory statements, notices and claims pertaining to the suit schedule property in the form of private or public notices or any publication in any media or through any newspapers or handbill or any other form to the customers of the plaintiff or general public or authorities.

c) to pay the cost of the suit

For Plaintiff : Mrs.T.Uma Sivan

For Defendant : No Appearance

J U D G M E N T

This suit is pending from the year 2010. It was reported by the learned counsel for the plaintiff on 19.11.2021 that the sole defendant in this case was dead. Thereafter, the case was adjourned on several occasions for taking steps to implead the legal representatives of the deceased sole defendant.

2. When the matter is taken up today again, the learned counsel for the plaintiff prayed time for taking steps for impleading the legal



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representatives of the deceased sole defendant. On going through the records, this Court found that this case was adjourned from 19.11.2021, 3.12.2021, 17.12.2021, 24.01.2022, 2.3.2022, 25.3.2022, 9.3.2022, 25.4.2022, 04.07.2022 and 5.8.2022,. On all these occasions, the case was adjourned only at the instance of the learned counsel for the plaintiff for impleading the legal representatives of the deceased sole defendant. Till now, no positive steps have been taken. Therefore, this Court has no option except to dismiss the suit as abated against the defendant.

3.Thus, the suit is dismissed as abated. No costs.

02.11.2022

kp

Index : Yes/No

Internet: Yes/No

Speaking Order/Non-Speaking Order

To

The Sub Assistant Registrar,
Original Side,
High Court, Madras.

G.CHANDRASEKHARAN,J.



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