



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

FRIDAY, THE 11TH DAY OF MARCH 2022

THE HON'BLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

C.S. No.177 of 2011

M.K. Jayaprakash Narayanan
No.46, Rangasayee Street,
Perambur,
Chennai - 600 011

...Plaintiff

versus

Kanagavalli
M.I.G. 351, 3rd Main Road,
4th Cross Street,
East Mogappair,
Chennai - 600 037

...Defendant

Civil Suit praying that this Hon'ble Court be pleased to

a) pass a decree in favour of the plaintiff for Rs.41,65,000/- with subsequent interest at 12.5% per annum on Rs.25,00,000/- from the date of plaint till the date of realization as against the defendant to be payable by her from out of the assets of the deceased M. Subramanian in the hands of the defendant.

b) award costs of the suit.



plaintiff and the defendant herein not appeared in person or by advocate and upon reading the plaint filed herein, **it is ordered as follows:-**

That the suit in C.S.No.177 of 2011 be and is hereby dismissed for non-prosecution.

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

WITNESS THE HON'BLE MR. JUSTICE MUNISHWAR NATH BHANDARI, CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE 11TH DAY OF MARCH 2022.

Sd/-

ASSISTANT REGISTRAR(O.S.I)

//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.



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08.04.2022

C.S. No.177 of 2011

ORDER

DATED : 11.03.2022

THE HON'BLE MRS.JUSTICE
V.BHAVANI SUBBAROYAN

FOR APPROVAL : 11.04.2022

APPROVED ON : 11.04.2022



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2022

CORAM

THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

C.S.No.177 of 2011

M.K. Jayaprakash Narayanan

...Plaintiff

.Vs.

Kanagavalli

... Defendant

Prayer:

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

a) Pass a decree in favour of the plaintiff for Rs.41,65,000/- @12.5% per annum on Rs.25,00,000/- from the date of plaint till the date of realization as against the defendant to be payable by her from out of the assets of the deceased M. Subramanian in the hands of the defendant.

b)grant other just and necessary reliefs in the circumstances of the



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For Plaintiff : No Appearance

For Defendants : No Appearance

J U D G M E N T

When the matter was listed on 24.01.2022, subsequent to the demise of the learned counsel for the plaintiff, the Registry was required to serve notice on the plaintiff intimating the demise of his counsel and print the name of the plaintiff in the cause list and the matter was adjourned to 10.02.2022. On that day, even though the name of the plaintiff was printed in the cause list, there was no representation on the side of the plaintiff. However, it was informed that notice had been sent to the plaintiff and service was awaited. Hence, the master was directed to list on 18.02.2022.

2. Even on 18.02.2022, as the service of notice was awaited, the matter was directed to adjourn on 11.03.2022.

3. Even today, there is no representation on the side of the plaintiff



either through counsel or in person, despite his name is printed in the cause list and notice sent by the Registry is returned unserved as the plaintiff has vacated the said premises.

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

Sd/-V.B.S.J.
11.03.2022

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

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