



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

FRIDAY, THE 07th DAY OF JANUARY 2022

THE HON'BLE MR. JUSTICE N.SESHASAYEE

C.S.No.824 of 2012

1. Mr.M.Nagalingam
S/o.Munysamy
Represented by its Power Agent:
Mr. G.Manimaaran
S/o.D.Govindaswamy
No-73, Thiruvalluvar Street,
Pammal,
Chennai - 600 075

...Plaintiff

Vs

1. D.Kanmani Mary Ritta
W/o. M.Dillibabu,
Door No.28,
Samiyar Thottam,
Alandur Road,
Saidapet,
Chennai - 600 015.

2.R.Rajasekaran
S/o. S.Ramu
Door No.5,
1st Street, Guruswamy Nagar,
Anakaputtur,
Chennai - 600 070.

3. R. Munjula
W/o. R.Rajasekar
Door No.5,
1st Street, Guruswamy Nagar,



Anakaputtur,
Chennai - 600 070.

...Defendants

Civil Suit praying that this Hon'ble Court be pleased to pass, a decree and Judgment against the defendants.

a) To declare the sale Deed dated and registered at document No. 11642 of 2008, Sub -Registration Kundrathur, executed by the 2nd defendant in favour of 3rd defendant relating to the schedule mentioned property to and in favour of the third defendant as Null and void and unenforceable as the same was sham and nominal or an alternatively.

b) To direct the 1st defendant to execute and register the sale deed in favour of the plaintiff after receiving the balance amount of sale consideration of the schedule mentioned property, failing which this Hon'ble Court may direct any suitable person from this Hon'ble Court to execute and register the sale deed in respect of suit property in favour of the plaintiff or their nominee(s);

c) and to grant permanent injunction restraining the defendants, their men, agents or their representatives or any other persons claiming through them, not to encumber, mortgage, gift and to maintain status-quo in the schedule mentioned property till the disposal of the suit.



d) for the cost of the suit.

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This Civil suit coming on this day before this court for hearing through video conferencing, the plaintiff and the defendant herein not appearing in person or by advocate and upon reading the plaint filed herein and this Court having observed that this case has been repeatedly posted without the plaintiff being represented most of the times and today there is no improvement, **it is ordered as follows:-**

That the suit in C.S.No.824 of 2012 be and is hereby dismissed for default.

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

WITNESS THE HON'BLE MR. JUSTICE MUNISHWAR NATH BHANDARI, ACTING CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE 07th DAY OF JANUARY 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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ARS
22.02.2022

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C.S.No.824 of 2012

ORDER

DATED : 07.01.2022

THE HON'BLE MR. JUSTICE
N.SESHASAYEE

FOR APPROVAL: 22.02.2022

APPROVED ON : 01.03.2022



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.01.2022

CORAM

THE HONOURABLE **MR.JUSTICE N.SESHASAYEE**

C.S.No.824 of 2012

1.Mr.M.Nagalingam
S/o.Munysamy
Represented by its Power Agent
Mr.G.Manimaaran
S/o.D.Govindaswamy ... Plaintiff

Vs.

1.D.Kanmani Mary Ritta
W/o.M.Dillibabu

2.R.Rajasekaran
S/o.S.Ramu

3.R.Manjula
W/o.R.Rajasekar ... Defendants

Prayer: The Civil Suit has been filed under Order IV Rule 1 of the Original Side Rules read with Order VII Rule 1 of C.P.C. 1908, praying

a) To declare the sale Deed dated and registered at document No.11642 of 2008, Sub -Registration Kundrathur, executed by the 2nd defendant in favour of 3rd defendant relating to the schedule mentioned property to and in favour of the 3rd defendant as Null and void and unenforceable as the same was



sham and nominal or an alternatively.

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b) To direct the 1st defendant to execute and register the sale deed in favour of the plaintiff after receiving the balance amount of sale consideration of the schedule mentioned property, failing which this Court may direct any suitable person from this Court to execute and register the sale deed in respect of suit property in favour of the plaintiff or their nominee(s); and

c) to grant permanent injunction restraining the defendants, their men, agents or their representatives or any other persons claiming through them, not to encumber, mortgage, gift and to maintain status-quo in the schedule mentioned property till the disposal of the suit and for costs.

For Plaintiffs : No appearance

For Defendant : No appearance

J U D G M E N T

(This case has been heard through video conferencing)

This case has been repeatedly posted without the plaintiff being represented



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2. This suit stands dismissed for default. No costs.

Sd./-N.S.S.J.
07.01.2022

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

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