



C.S.No.326 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.10.2022

CORAM

THE HON'BLE MR. JUSTICE C.V.KARTHIKEYAN

Civil Suit No.326 of 2021

and

Original Application No.683 of 2021

and

Applications Nos.3917, 3918 and 4116 of 2021

1.G.Sankarabushanam

2.Anbuselvi

3.N.Rajesh Kumar

4.N.Selvakumar

5.Arulbhavani

6.G.Sivaraj

7.Uma

8.Prema

... Plaintiffs

versus

1.E.Devamani

2.E.Gunamani

3.E.Jagadeesan

4.E.Lakshmi Sekar

5.E.Saroja

6.E.Jayaseelan

7.E.Rani Ethiraj @ E.Rani

8.E.Amudha

9.E.Bhaskar

10.E.Sridhar

11.E.Arul

12.E.Devatha



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13.E.Karnal
14.E.Ebi
15.E.Chandra
16.E.Rajan
17.E.Ponmudi

... Defendants

Prayer: The Civil Suit filed under Order VI Rule 1 of the Original Side Rules, read with Order VII Rule 1 of CPC., seeking to pass decree and Judgment against the defendants that to declare that the 1st plaintiff is the absolute owner of Suit B Schedule Property and to declare the plaintiffs are the absolute owners of the Suit C Schedule Property and direct the Defendants 7, 9, 10, 11 & 16 to hand over and deliver vacant possession of the Suit C Schedule property to the plaintiffs and for permanent injunction restraining the defendants, their men, agents, servants, representatives or any one claiming through him/her/them or in trust for him/her/them, from in any manner disturbing plaintiffs peaceful possession and enjoyment over the Suit Schedule B & C property and for the costs of the suit.

For Plaintiffs : Mr.V.Manohar

For D1 to D17 : Mr.V.Balakrishnan

JUDGMENT

A Memo had been filed by the learned counsel for the defendants which is as follows:



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“ In the above-mentioned matter, reject the plaint application Appl NO.4115 of 2021 in CS.No.326 of 2021 was filed and the same was dismissed on 23/03/2022. Against the dismissal order of the Reject the plaint Application Appl NO.4115 of 2021 in CS.No.326 of 2021, Appeal O.S.A.No.230 of 2022 was filed.

It is submitted that the Honble Division bench by its order dated 28.03.2022 allowed the O.S.A.No.230 of 2022 with cost and the plaint in the Suit CS.No.326 of 2021 was rejected.

It is submitted that Honble Division bench by its order dated 28.03.2022 rejected the plaint in the Suit CS.No.326 of 2021, therefore I pray this Hon'ble court to record the order passed in OSA.No.230 of 2022 and dismiss the suit C.S.No.326 of 2021 and thus render Justice.

Dated at Chennai on this the 10th day of October 2022.

*Sd/
MS1010/2018
1010/2022
Counsel for Defendants”*



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2. The order of the Hon'ble Division Bench of this Court, dated 28.09.2022 in O.S.A.No.230 of 2022 is also enclosed.

3. In view of the same, since the plaint has been rejected, it may be struck off by the registers of the Court. No costs. Consequently, the connected applications stands closed.

12.10.2022

Index:Yes/No

Speaking Order : Yes/No

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C.V.KARTHIKEYAN,J.,
ssi

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