



C.S.No.234 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.11.2022

CORAM

THE HON'BLE MR.JUSTICE G.CHANDRASEKHARAN

C.S.No.234 of 2017

Sunil Goel

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Plaintiff

vs.

1.M/s.Core Indo Ispat Pvt.Ltd.,
Rep. by its Managing Director
315, 3rd Floor, Thambu Chetty Street,
George Town, Chennai – 600 001.

2.Mrs.Rukmani Goel

3.Uttam Ramnivas Goel

4.Aashish Nevatia

5.Ramnivas Goel

6.Yogesh Goel

7.Priti Goel

8.M/s.Reliance Home Finance Ltd.,
Rep.by its Branch Manager
having their Branch Office at
5, 4th Floor, Reliance Tower,
Haddows Road Nungambakkam
Chennai – 600 034.

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Defendants



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Prayer: Civil Suit filed under Order IV Rule 1 of O.S.Rules read with Order VII Rule 1 of Code of Civil Procedure r/w Section 26 of C.P.C., to pass a judgment and decree against the defendant as follows:

- (i) to pass a preliminary decree of partition and allotment of 1/6th share of the plaintiff in the plaint schedule A & B Assets.
- (ii) to declare that the settlement deed dated 08.01.2015 registered as document no.312/2015 executed by 2nd defendant in favour of the 3rd defendant in respect of item no.1 in the plaint schedule – A – Assets is invalid and non-est in law and not binding on the plaintiff in respect of his 1/6th share in the said Assets.
- (iii) to declare that the mortgage deed dated 09.01.2015 executed by the 3rd defendant in favour of the 8th defendant in respect of item no.1 in the plaint schedule – A – Assets is void ab initio, invalid and non-est in law and not binding on the plaintiff.
- (iv) for a decree of permanent injunction restraining the defendants from in any manner alienating or encumbering the plaint schedule – A and B Assets in favour of any third party;
- (v) to award costs of the suit.

For Plaintiff : No appearance
For 8th Defendant : M/s.K.J.Parthasarathy
R.Ravindran
B.Rajesh

J U D G M E N T

This matter was sent to this Court by the learned Master. Only the 8th defendant is the contesting defendant and other defendants 1 to 7 remained ex-parte when the case was pending before the learned Master for trial. It is



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seen that there is no representation for the plaintiff on several occasions.

Thus, the matter was referred to this Court.

2.The case was listed and taken up for hearing on 31.10.2022 in this Court. There was no representation for the plaintiff and then it was adjourned to 07.11.2022. On 07.11.2022 also there was no representation for the plaintiff. Therefore, the matter was adjourned today (14.11.2022) with a direction to post the matter under the caption 'for dismissal'. Today also there is no representation for the plaintiff. The plaintiff name is printed in the cause list. The learned counsel for the 8th defendant is present.

3.In view of the continuous absence of the plaintiff and the lack of interest shown in prosecuting the case, this case is dismissed for non-prosecution with costs of the 8th defendant.

14.11.2022

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Index : Yes/No

Internet: Yes/No

Speaking Order/Non-Speaking Order



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G.CHANDRASEKHARAN,J.

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