



C.S.No.65 of 2017

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.11.2022

CORAM

THE HON'BLE Mr. JUSTICE G.CHANDRASEKHARAN

C.S.No.65 of 2017

P.B.Abhinav Chandran

...Plaintiff

Vs.

1.P.C.Bhaskar

2.Kanthimathi

3.M/s.Bajaj Finance Ltd,
Unit No.804 to 806, 8th floor, Raheja Towers,
No.117, Annasalai, Chennai – 600 002.

4.M/s.HDB Financial Services Ltd,
105, 3rd floor, G.P.Road, Chennai – 600 002.

5.M/s.Indiabulls Housing Finance Limited,
No.2, Indoor No.20/23 (old No.60A),
Apex chambers, 3rd floor. Theyagaraya Road,
T.Nagar, Chennai – 600 017.

6.M/s.Indian Bank
No.42, GG Complex, 1st floor,
Annasalai, Chennai – 600 002.

7.M/s.Religare Finvest Limited,
No.10 & 12, 5th floor, Venkatanarayana road,
T.Nagar, Chennai – 600 017.

...Defendants



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PRAYER: This Civil Suit is filed under Order IV Rule 1 of Original Side Rules read with Order VII Rule 1 of CPC praying to pass the judgment and decree in favour of the plaintiff and against the defendants to

a) Partition the suit properties found in schedule A to E herein and allot 1/3rd share to the plaintiff and give separate possession of the same;

b) Grant Permanent injunction restraining the defendants 1 to 7, their men, agents, servants or anybody claiming through or under them in any manner disturbing, interfering, initiating proceedings, preventing the peaceful possession and enjoyment of the plaintiff's share in the schedule mentioned properties till the disposal of the case;

c) for costs;

For Plaintiff : No appearance

For Defendants : Mr.M.Arunachalam for D3

ORDER

This matter is listed under the caption 'for dismissal'. Mr.Thirumulai, learned counsel submitted that he going to file change of vakalat for the plaintiff. However, it is seen that vakalat is not filed so far. It is also seen from the previous Orders passed by this Court on 13.09.2022, 22.09.2022, 18.10.2022 and finally on 04.11.2022 that there was no representation for the plaintiff.



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2. On the representation made by the learned counsel for the 3rd defendant that loan availed by the 1st and 2nd defendants from the 3rd defendant has been assigned in favour of M/s.Kotak Mahindra Bank Limited and that the memo dated 15.03.2022 was filed for substituting M/s.Kotak Mahindra Bank Limited in the place of the 3rd defendant. However, the plaintiff had not taken any steps for substitution.

3. There is no representation for the plaintiff on all these hearings. Therefore, this matter is listed under the caption 'for dismissal'. Today also there is no representation for the plaintiff. Therefore, this Civil Suit is dismissed for non-prosecution. No costs.

11.11.2022

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Index:Yes/No

Speaking Order: Yes/No

To

The Section Officer,
VR Section,
High Court of Madras.

G.CHANDRASEKHARAN.J.,



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