



C.S. No.303 of 1995

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 31.01.2023

CORAM : JUSTICE N.SESHASAYEE

C.S. No.303 of 1995

Arulmighu Kothanda Ramar Temple
Nandambakkam
Madras - 600 089
Rep. by its Executive Officer

.... Plaintiff

Vs

1.Mrs.Meenakshi Achi

2.M/s.S.K.Constructions
45, I Main Road
I Floor, C.I.T. Nagar
Nandanam, Madras - 600 035

.... Defendants

Prayer : Civil Suit filed under Order IV Rule 1 of O.S. Rules read with Order VII Rule 1 of CPC for a judgment and decree (a) directing the defendants to deliver vacant possession of the property situate at No.122, Nandambakkam Village, Saidapet Taluk, Madras - 600 089, comprised in S. No.178/2 and measuring 32 cents and morefully described in the schedule hereunder written to the plaintiff; (b) grant a decree of permanent injunction restraining the defendants, their staff, agents, servants or any person claiming through or under



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them from erecting or constructing any superstructure or alienating or dealing or encumbering the suit schedule mentioned property in any manner whatsoever either by themselves or through anyone else; (c) consequential mandatory injunction directing the defendants to demolish the superstructure being constructed in the suit schedule mentioned property and remove the debris from the suit property; (d) to pay the costs of the suit.

For Plaintiff : No Appearance

For Defendants : Mr.P.B.Ramanujam for D2

JUDGMENT

On 28.06.2022, the learned counsel appearing for the plaintiff has reported no instructions from the plaintiff. Hence, this court directed the Registry to issue summons to the plaintiff to appear before this court on 08.07.2022. Thereafter, again court notice was ordered to the plaintiff on 10.08.2022. Pursuant to the said order, notice to the plaintiff has been served by the court on 06.09.2022. Even after service of notice and the plaintiff's name being printed in the cause list, the plaintiff has not chosen to appear before the court.

2. In such view of the matter, this court has no other option except to dismiss



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the suit for default. Accordingly, the civil suit is dismissed for default. No costs.

31.01.2023

Asr



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N.SESHASAYEE.J.,

Asr

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