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C.S.No.1187 of 2009

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.03.2023

CORAM:

THE HONOURABLE MS JUSTICE R.N.MANJULA

C.S.No.1187 of 2009

M/s.Pavalai Kalyanasundara Mudaliar Trust,
represented by its Managing Trustee,
Mr.A.V.Rajan @ A.Varadharajan Mudaliar,
S/o. Annamalai Mudaliar,
having his office at No.110-E, Whannels Road,
Egmore, Chennai – 600 008.

... Plaintiff

Vs

1. B.Chandrakala
2. G.Mohanraj
3. L.Sasikala
4. R.Premalatha
5. G.Nehruji
6. G.Nethaji

... Defendants

Prayer: Complaint filed under Order VII Rule 1 of C.P.C., and Order IV Rule 1
of Original Side Rules praying for,

- a) declaring that Sri.A.V.Rajan @ A.Varadharajan Mudaliar the plaintiff
herein is the sole Managing Trustee of Pavalai Kalyanasundara
Mudaliar Trust;
- b) For Permanent Injunction restraining the defendants 1 to 6 from
representing as the trustees of Pavalai Kalyanasundara Mudaliar
Trust;

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- c) For Permanent Injunction restraining the defendants 1 to 6 and or their agents or servants from encumbering the suit properties mentioned in the plaint schedule;
- d) Cost of the suit.

For Plaintiff : No appearance

For Defendants : Ms.Daisy John,
for D1, D3 to D6

JUDGMENT

There was no representation for the plaintiff for a consecutive two hearings. Hence, the matter was ordered to be listed under the caption “For dismissal” on 27.03.2023 . Even though the matter is listed today under the caption “for dismissal”, there is no representation for the plaintiff. Hence, this Court is inclined to dismiss the suit for default.

2. Accordingly, the Civil Suit is dismissed for default. No costs.

27.03.2023

Index: Yes/No
Speaking order/Non speaking order
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