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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Date : 24.07.2023

CORAM:

THE HON'BLE MR.JUSTICE A.A.NAKKIRAN

C.S.No.403 of 2003

1. Citi Financial Consumer Finance India Ltd.,
Having its registered office at No.3,
Local Shopping Complex,
Pushp Vihar, New Delhi -110062.
(Amendment carried out on 24.04.2009
as per the order dt 20.01.2019 in A.No.5658/2008
and condone delay to carried out the
amendment as per orde dt 20.04.2019
in A.No.1284/2009.

.. Plaintiff

vs.

1. K. Selvaraj (deceased)
2. M/s.Advanced Technology Labs Pvt.Ltd.,
Rep by its Director Mr.Raj Santosh
Prince Towers, 25, College Road,
Nungambakkam, Chennai 600 034.
3. Raj Santosh
4. Sobaseeli
5. Abraham Richard Jeffry
6. Abraham Kingston Cecil
7. Abraham Vincent Cecil
8. Abraham Godfrey Pradeep
(Defendants 4 to 8 are brought on record as
L.Rs of the deceased 1st defendant as
per order dt 30.11.2011 in A.No.6062/2010)

... Defendants



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Prayer: Civil Suit filed under Order XXXVII Rule 1 of O.S. Rules read with Order 34 of the Civil Procedure Code to pass a judgment and decree against the defendants

a) directing the first defendant to pay to the plaintiff an amount of Rs.3,20,000/- on or before a day to be fixed by this Court, failing which, to pass appropriate orders directing the sale of the immovable property morefully mentioned in the schedule hereunder and directing such sale proceeds realise therefrom be paid over to the plaintiff for appropriation towards the above decree/award amount together with subsequent interest @ 18% from the date of plaint till the date of realisation and pass personal decree against the first defendant if the sale proceeds are in sufficient to satisfy the entire decretal amount in the suit and

b) for costs of the suit.

For Plaintiff : No appearance

For Defendants : D1 – Died

D2 & D3 – Set exparte on 20.01.2010

D4 to D8 – No appearance

J U D G M E N T

Earlier, when the Suit was posted on 21.07.2023 for hearing, the learned counsel for the plaintiff has submitted that he has no instructions from the plaintiff. Hence, the matter was directed to be posted on



24.07.2023 under the caption, “for dismissal” removing the name of the plaintiff's counsel and to print the name of the plaintiff in the cause-list.

2. Even today, (24.07.2022), the plaintiff has not appeared. Hence, the Civil Suit is dismissed for non-prosecution. No costs.

24.07.2023

Index : Yes/No
Internet : Yes
Speaking/Non-speaking order
gv



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A.A.NAKKIRAN,J.

gv

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