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C.S.No.975 of 2005

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.09.2023

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

C. S.No.975 of 2005

1.Kota Manavaliah
2.A.Aravinda
3.M.Srinath
4.R.Narasimhaswamy
Trustees of Kota Manavaliah
Sulochanama Charities

... Plaintiffs

vs.

K.R.Diwakar

... Defendant

Prayer:- Civil Suit filed under Order IV Rule 1 of O.S Rules and read with Section 92 of CPC, praying for the following judgment and decree against the defendants:

a) Directing the removal of the defendant from Trusteeship of Kota Manavaliah Sulochanama Charities;

b) directing the defendant to render accounts from 1.07.2001 for all the rental collections and payments by way of taxes and charities and to pay the amount of trust funds retained by the defendant together with interest at 12% per annum;



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c) directing the defendant to pay the cost of the suit.

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For Plaintiffs :

For Defendant : Mr.K.Vikram
For M/s.V.Srimathi

J U D G M E N T

When the matter was taken up for hearing on 22.08.2023, the learned counsel for the defendant was alone present and hence, this Court directed the Registry to issue notice to the plaintiffs returnable by 05.09.2023. Even today (05.09.2023), the plaintiffs are not appeared before this Court and the notice sent to the plaintiffs 1, 3 and 4 was returned with an endorsement "Plaintiffs 1, 3 and 4 were no more" and the notice sent to the 2nd plaintiff was returned with an endorsement "no such person". Hence, the Civil Suit is dismissed for non-prosecution. No costs.

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Index:Yes/No
Speaking/Non-speaking Order
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A.A.NAKKIRAN,J.

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