



CS.No.381 of 1999

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED:02.11.2023

CORAM

HONOURABLE MR JUSTICE A.A.NAKKIRAN

C.S. No.381 of 1999

Upasana Finance Limited,
No.96/1,, Luz Church Road,
Mylapore, Chennai 600 004
Rep by its Manager
Finance & Secretary
Mr.R. Krishnan

...Plaintiff

vs

1. M/sOctanorm India Limited
No.32, D'Monte Colony
TTK Road, Chennai 600 018.

2. A.Arokia Daas
3. John Basco
4. Savari Cruz
5.Arul Francis

..Defendants

Prayer: Civil Suit filed under Order IV Rule 1 of O.S. Rules read with
Order VII Rule 1 of the Civil Procedure Code praying for a judgment and
decree

a) directing the defendants jointly and severally to pay a sum of

1/4



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Rs.33,12,803/- together with further interest at 48% per annum from the date of plaint till the date of realisation.

b) in default of payment of the amount as stated above for sale of the mortgaged property mentioned in the schedule to the plaint and apply the sale proceeds after deducting the sale expenses towards the amount due under the decree;

c) in the event of sale proceeds not being sufficient to satisfy the decree grant liberty to the plaintiff for personal decree against the defendants 1 to 5 and

d) directing the defendants jointly and severally to pay the cost of the suit.

For Plaintiff : No appearance

For Defendants : M/s.N.A.Nissar Ahmed for D5

No appearance for D1 & D2

J U D G M E N T

Earlier, when the Suit was posted on 01.11.2023 for hearing, there was no representation for the plaintiff and hence, the matter was directed to be posted on 02.11.2023 under the caption, “for dismissal”.



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2. Even today, (02.11..2023), there is no representation on behalf of the plaintiff either in person or through the counsel on record. Hence, the Civil Suit is dismissed for non-prosecution. No costs.

02.11.2023

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

A.A.NAKKIRAN,J.



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gv

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