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C.S.No.2 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.07.2023

CORAM

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

C.S.No.2 of 2013

M.R. Hemamalini

...Plaintiff

.Vs.

- 1.M. Radhakrishnan (Deceased)
2. M.R. Muralidharan,
- 3.M.R. Sridhar (Deceased)
- 4.M.R. Ganeshan

(Defendants 2 to 4 already on record, recorded as legal heirs of deceased 1st defendant as per order dated 09.12.2012 on Memo in diary No.40293 of 2015 in C.S.No.2 of 2013)

- 5.Vijaya,
- 6.Mrs. S.Sasikala,
- 7.Mrs. S.Saranya,
- 8.Mrs. S. Dhivya,
- 9.Mr. S. Sabarish

... Defendants

(Defendants 6 to 9 brought on record as LR's of Deceased 3rd defendant as per order dated 12.03.2019 in A.No.1755 of 2019)

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**Prayer:**

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Plaint filed under Order VII Rule 1 of the CPC, 1908 read with Order IV Rule 1 of the Original Side, 1957 praying for a judgment and decree as follows:-

- a) Directing an account of all the properties of the Joint Family.
- b) Directing the division of the same allotting to the plaintiff 1/4th share in them in respect of plaintiff schedule A,B,C,D,E,F,G and H and 1/8th share in plaintiff schedule C.
- c) Declaration that the settlement deeds dated 28.03.2007 registered as document Nos.345 of 2007 and 346 of 2007 in the office of the SRO, Sowcarpet, as not binding on the plaintiff.
- d) Directing the defendants 2 to 4 to give a copy of the property mentioned in Schedule-I.
- e) for the cost of the suit.

For Plaintiff : No Appearance

For Defendants 1 to 9 : No Appearance



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JUDGMENT

On the earlier occasion, there was no representation for the plaintiff and hence, the Registry was directed to list the matter under the caption “for dismissal” on 31.07.2023. Despite the same, even today, ie. 31.07.2023, there is no representation for the plaintiff and therefore, the Suit is dismissed for non prosecution. Consequently, connected Miscellaneous Petition is also closed if any. No costs.

31.07.2023

Lbm

Index : No

Internet : Yes

Speaking order



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A.A.NAKKIRAN.,J

Lbm

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