



A.No.3987 of 2023

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.09.2023

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

A.No.3987 of 2023

in

C.S.No.285 of 2003

M/s.Sree Gokulam Chit & Finance Co., (P) Limited,
Rep by its Managing Director
Mr.G.Baiju
No.66, Arcot Road, Kodambakkam,
Chennai 600 024.

... Applicant/Plaintiff

Vs.

1. S.Kala
2.Rajeshwari
3.Suresh

...Respondents

Prayer : Application under Order XIV Rule 8 of the High Court Original
Side r/w Order 34 Rule 5(3) of CPC, praying to pass final decree for sale
of the mortgaged suit schedule property in C.S.No.285 of 2003.

For Applicant/Plaintiff : Mr. L.Rajasekar

For Respondents/Defendants : D1 to D3 set exparte on 07.03.2012



A.No.3987 of 2023

WEB COPY

ORDER

Pursuant to the preliminary judgment passed by this Court dated 03.12.2013, the A.No. 3987 of 2023 has been filed by the plaintiff to pass a final decree for sale of the mortgaged suit schedule property in C.S.No.285 of 2003.

2. Perusal of records show that on 07.03.2012, though the matter was listed under the caption, 'undefended board, there was no representation for the defendants 1 to 3 and hence they were set ex parte.

3. After hearing both sides, this Court, by an order dated 03.12.2013 has granted preliminary decree for a sum of Rs.67,25,991/- with interest at the rate of 24% per annum from the date of plaint, till the date of realisation and also costs of the suit granting two months time for payment.

4. On 14.09.2023, this court has permitted to effect paper publication in one issue of 'Makkal Kural' Tamil daily in Chennai



A.No.3987 of 2023

WEB COPY

Edition mentioning the date of hearing as 27.09.2023.

5. Today, when the matter is taken up for hearing, learned counsel for the applicant/plaintiff has produced the Tamil Daily of Makkal Kural, Chennai Edition, dated 16.09.2023, mentioning the date of hearing as 27.09.2023. However, there is no representation for the respondents/defendants. Hence, they are called absent and set exparte.

6. In view of the above, a final decree is passed as prayed for.

7. Accordingly, this application is allowed. No costs.

27.09.2023

Index: Yes/No
Speaking/Non-speaking Order
gv



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