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C.S.No.983 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.12.2024

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

C.S.No.983 of 2015

1.N.Satish Kumar
2.N.S.Padma Rani

.. Plaintiffs

Vs.

K.Murali

.. Defendant

Prayer: Civil Suit filed under Order VII Rule 1 of Civil Procedure Code read with Order IV Rule 1 of High Court Original Side Rules praying to pass a judgement and decree against the defendant

- a) to declare that the plaintiffs are the absolute owners of the suit "B" schedule property;
- b) to direct the defendant to quit and deliver vacant possession of the suit "B" schedule property to the plaintiffs.
- c) to grant permanent injunction restraining the defendant, his men, agents and assigns or anyone claiming through or under them or on their behalf from in any manner encumbering, alienating, conveying or transferring the suit "B" schedule property, claiming to be owners thereof.



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- d) to direct the defendant to pay a sum of Rs.1,00,000/- per month as damages for the illegal use and occupation of the eastern portion of 1000 sq.ft. of land with total built up area 1600 sq.ft. (i.e 1000 sq.ft. ground floor and 600 sq.ft. on the first floor) of the suit "B" schedule property, from the date of purchase of the suit property i.e 01.09.2014 till date of plaint i.e 26.10.2015 amounting to Rs.14,00,000/- (Rupees fourteen lakhs only) for fourteen months.
- e) To pay for future damages at the rate of Rs.1,00,000/- per month from the date of plaint till handing over vacant possession of the suit "B" schedule property to the plaintiffs.
- f) To grant permanent injunction restraining the defendant, his men, agents, or anyone claiming through or under him or on his behalf from interfering with the plaintiffs' peaceful possession and enjoyment of the suit "B" schedule property.
- g) for costs.

For Plaintiffs : No Appearance

For Defendant : Mr.K.Shakespeare



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JUDGMENT

When the matter came up for hearing on 05.12.2024, there was no representation on behalf of the plaintiffs and hence the matter was directed to be posted under the caption "for dismissal" on 06.12.2024. Even today (06.12.2024), there is no representation on behalf of the plaintiffs either in person or through the counsel on record. Hence, the Civil Suit is dismissed for non-prosecution. No costs.

Index:Yes/No
Speaking/Non-speaking Order
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06.12.2024
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A.A.NAKKIRAN,J.

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