



WEB COPY



C.S.No.63 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.12.2024

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

C.S.No.63 of 2016

1.N.Satish Kumar
2.N.S.Padma Rani
3.Ruparam
4.Shameera Begum Backer
5.L.Dilawar
6.Mohamed Ansari
7.R.Madhavan
8.R.Dinesh Babu
(Plaintiffs 3 to 8 were impleaded as
per order dated 14.06.2024 made in
Appl.No.4428 of 2023)

.. Plaintiffs

Vs.

1.P.Zainudheen
2."Sovereign Travel Goods"
Represented by P.Zainudheen
S/o.Moidoo, aged 57 years
Old No.180, New No.108
Netaji Subash Chandra Bose Road
Opposite Flower Bazaar Police Station
Chennai-600001.
3."Sovereign Travel Goods Industries"
Represented by its partner P.Zainudheen
S/o.Moidoo, aged 57 years
Old No.180, New No.108
Netaji Subash Chandra Bose Road
Opposite Flower Bazaar Police Station
Chennai-600001.

.. Defendants



C.S.No.63 of 2016

Prayer: Civil Suit filed under Order 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 defendants

- a) to declare that the plaintiffs are the absolute owners o 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.
- d) to direct the defendants jointly and severally to pay a sum of Rs.1,00,000/- per month as damages for the illegal use and occupation of the western portion of 995 sq.ft. of land with total built up area 1990 sq.ft. (i.e 995 sq.ft. ground floor and 995 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 the month of filing the plaint i.e amounting to Rs.16,00,000/- (Rupees sixteen lakhs only) for sixteen months.
- e) To pay for future damages at the rate of Rs.1,00,000/- per month from the date of plaint i.e from January 2016 till handing over vacant possession of the suit "B"



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schedule property to the plaintiffs.

f) for costs.

For Plaintiffs : No Appearance

For Defendants : Mr.K.Shakespeare

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.

06.12.2024
(2/3)

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

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