



C.S.No.134 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Date : 04.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

Civil Suit No.134 of 2022

N.Devaraj

... Plaintiff

Vs

1. Hemalatha
2. Sri Raj & Co.,
Government Auctioneers,
No.7, Sunkurama Chetty Street,
1st Floor, Chennai – 600 001.

... Defendants

Prayer :- Suit filed under Order VI Rule 1 of the Original Side Rules read with Order VII Rule 1 of C.P.C. for the following reliefs against the defendants :

a] To take an account to determine the principal and interest amount due to the 1st defendant under the mortgage and upon payment of the same by the plaintiff the 1st defendant be directed to deliver the Mortgage Deed



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dated 03.11.2021 registered as Document No.6851 of 2021 in the office of the Sub - Registrar Purasavakkam and all the other documents relating to the suit property to the plaintiff and to retransfer the mortgaged property to the plaintiff.

b] Granting permanent injunction restraining the defendants their men agents and any other persons claiming under or through them from in any manner bringing the schedule mentioned property to sale by public auction or by private mode.

c] Directing to pay the costs of the suit.

For Plaintiff : No appearance

For Defendants : Mr.K.Mohan

J U D G M E N T

When the matter is taken up today, there is no representation on behalf of the plaintiff. Despite several opportunities given to the plaintiff, the plaintiff has not let in evidence before the Additional Master. The



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adjudications of the learned Master indicate that the plaintiff has not availed the opportunities from the year 2022 to let in evidence on his side. The same indicate that the plaintiff is not interested in prosecuting the suit. Hence, this suit is dismissed for non prosecution. No costs.

04.03.2024

VRC



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N.SATHISH KUMAR, J.

VTC

**Judgment in
Civil Suit No.134 of 2022**

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