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Civil Suit No.171 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 02.07.2024

CORAM

**THE HONOURABLE Mr. JUSTICE P.VELMURUGAN**

**Civil Suit No. 171 of 2018**

1. N.V.Prasanna Venkatesan @ Prasanna
2. N.Venkataraman ... Plaintiffs

Vs.

1. M/s.Galaxy Amaze Kingdom Ltd.,  
Galaxy House, Iswarya Garden Campus  
Old No.9C, New No.14, Main Street,  
Venugopal Nagar, Thirumullaivayil  
Chennai – 600 062  
Represented by its Director.
2. M.P.Balaji Prakasam
3. P.Parameshwari
4. P.Padmavathi
5. P.Aishwarya ... Defendants

**Prayer:-**

Civil Suit has been filed under Order VII Rule 1 of Code of Civil Procedure, 1908 read with Order IV, Rule 1 of the Madras High Court Original Side Rules prays for a judgment and decree against the defendants on the following terms :



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a) directing the defendants jointly and severally to pay a sum of Rs.2,68,88,750/- (Two Crores Sixty Eight Lakhs Eighty Eight Thousand and Seven Fifty only) to the plaintiffs;

b) direct the defendants jointly and severally to pay the costs of the suit Award cost of the suit.

For Plaintiffs : Mr.Niranjan Rajagopalan

For Defendants : set ex-parte on 16.10.2023  
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### **J U D G M E N T**

On the earlier occasion i.e., 16.10.2023, as the defendants have not entered appearance in the suit despite the effect of substituted service, they have been set *ex-parte* and this Court directed the Registry to post the matter before the Additional Master for recording *ex-parte* evidence.

2. On a perusal of the adjudication of the learned Additional Master – I, it is seen that due to non-cooperation of plaintiffs and their counsel, the case was pending for quite a long time before the learned Additional Master. In the meanwhile, the second plaintiff died. One of the legal



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heirs of the second defendant is already on record i.e., the first plaintiff herein. However, the first plaintiff has not taken any steps to implead the other legal heirs of the second plaintiff in the suit.

2. In view of the above, this Court is of the opinion that the first plaintiff is not interested in prosecuting the case and hence, this Civil Suit is dismissed for default. There shall be no order as to costs. Consequently, connected pending applications, if any, are closed.

**02.07.2024**

Index: Yes/No  
Speaking Order : Yes/No  
Neutral Citation Case : Yes/No  
ms



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**P.VELMURUGAN, J**

ms

**C.S.No.171 of 2018**

**02.07.2024**