



C.S.No.448 of 1999

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.10.2025

CORAM

THE HON'BLE DR.JUSTICE R.N.MANJULA

C.S.No.448 of 1999

K.S.Mothilal

... Plaintiff

-VS-

1. Mrs.Paulthai Shanmuga Sundaram

2. K.S.Damodharan

3. K.S.Anantharaman

4. Mrs. C. Mangala Vijayalakshmi

5. Peter Paul

(Amended as per order dated 30.07.2003 in A.No.3219 of 2003)

6. S.R.Annamalai

7. Kotteeswara Rao

8. Dhanraj

... Defendants

Prayer : Complaint filed under Order VII Rule 1 of the CPC Read With Order IV

Rule 1 of the High Court O.S. Rules, praying for the following judgment

and decree against the defendants:



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(a) Declaring that the plaintiff is entitled to 1/5th share in schedule mentioned properties and partitioning the suit properties by metes and bounds and for a separate possession;

(b) Appointment of Commissioner to divide the Schedule mentioned property by metes and bounds and to allot 1/5th share in the property to the plaintiff;

(c) Permanent Injunction restraining the second defendant from alienating and collecting any amount from the third parties and entering into any Agreement for sale with any third parties and thereby creating any liability with respect to the Suit Schedule-A, Item.No.1;

(d) To award the cost of the suit from the estate.

For Plaintiff : No appearance

For Defendants : No appearance

JUDGMENT

It is learnt that the plaintiff and D1 have died. There is no representation for the plaintiff and defendants 2 to 8. Unless the learned counsel for the plaintiff gets any instructions from the legal heirs of the



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deceased plaintiff, no steps can be taken. As there is no representation by the counsel for the plaintiff, and the plaintiff himself had died, and no one has filed any application so far to implead themselves as the legal heirs of the deceased plaintiff, the suit is dismissed as abated. No costs.

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Index : Yes / No

Internet : Yes / No

Neutral Citation: Yes / No

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DR.R.N.MANJULA,J.

Kj

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