



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-08-2025

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THE HONOURABLE MR JUSTICE C.V. KARTHIKEYAN

CS No. 216 of 2010

E.Jeevanandam

S/o.Mr.Ellappan, No.14,Main Road,
Alapakkam, Chennai-116.

Plaintiff(s)

Vs

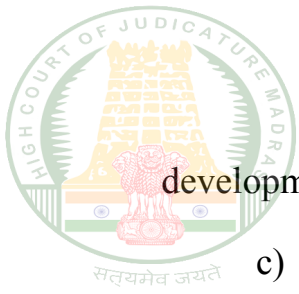
Mrs.Rajalakshmi Sunkavally
W/o.Mr.V.K.P.Sunkavally, No.7,
Mohan Kumaramangalam Street,
Nungambakkam, Chennai-34.

Defendant(s)

Prayer: This Civil Suit has been filed under Order IV Rule 1 of O.S. Rules read with Order VII Rule I of CPC, praying for a judgment and decree,

(a) declaring that the notice dated 25.06.2007 and the consequential rejoinder dated 29.08.2007 issued by the defendant seeking to cancel the agreement/MOU dated 05.07.2002 entered into between the plaintiff and the defendant, regarding the suit schedule property, as illegal and not enforceable.

b) granting permanent injunction restraining the defendant or any person claiming under the defendant from executing any deed or action disturbing the plaintiff's right under the MOU/agreement dated 05.07.2002 with respect to the suit schedule property or in any manner encumbering or dealing with the suit schedule property by executing sale deed, mortgage deed, agreement for sale or



development or in any other manner, contrary to the right of the plaintiff.

c) Mandatory injunction directing the defendant to comply with the defendant's obligations under clauses 9 & 10 of the MOU dated 05.07.2002 between the plaintiff and the defendant, and enable the plaintiff to purchase the suit property within 180 days from the date of finality of the pending litigation in respect of the suit property.

d) To pay the cost of the suit.

For Plaintiff(s): Mr.S.Thankasivan

For Defendant(s): Mr.Srinath Sridevan, Senior Counsel
for Mr.C.Thiagarajan

JUDGMENT

The defendant had died on 05.06.2024. The application to bring on record the legal representatives and to condone the delay in filing the application to set aside the abatement and to condone the delay of 330 days to set aside the abatement had been dismissed by this Court in A.Nos.907, 4126 & 4127 of 2025. In view of the same, the suit stands dismissed as abated. No Costs.

21-08-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To

Mrs.Rajalakshmi Sunkavally

W/o.Mr.V.K.P.Sunkavally, No.7,

Mohan Kumaramangalam Street,

Nungambakkam, Chennai-34.

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C.V.KARTHIKEYAN J.
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