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IN THE HIGH COURT OF JUDICATURE AT MADRAS

ORDINARY ORIGINAL CIVIL JURISDICTION)

FRIDAY, THE 29th DAY OF APRIL 2022

THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

C.S.No.47 of 1996

1. K.Sivagnanam
residing at Flat No.352,
Vaibhava Apartments,
62, E.V.K.Sampath Road,
Vepery, Madras 600 007.

2. T.S.Pathy
residing at No.5,
11th Block, Raj Bhavan,
M.G.Camp Post,
Madras 600 022.

... Plaintiffs

Vs.

1. Tamil Nadu Karuneegar Sangam,
by its General Secretary
Mr.K.Umapathy
No.93, Pidariyar Koil Street,
Madras 600 001.

2. Kanagasabapathy
No.18, Dr.Ambedkar Road,
Ashok Nagar,
Madras 600 083.

(*) 3. Chennai Mahana Karuneegar Sangam
by its General Secretary P.N.Visagan,
22, Balaji Street, Kodambakkam,
Chennai – 24.

(*) 3rd defendant impleaded as per order
dated 17.12.99 made in Appln.No.3297 of 1999.

Delay condoned in Appln.Nos.3923 and
5386 of 2001 by order dated 4.9.2001 and 29.11.2001

...Defendants



Civil Suit praying that this Hon'ble Court be pleased to pass a

judgement and decree:-

(a) Framing a scheme for the preservation, administration and functioning of the first defendant Trust.

(b) appointing the plaintiffs and some other competent persons of the Karuneeagar Caste as Trustees of the first defendant Trust.

This Civil Suit coming on this day before this court for hearing in the presence of Mr.K.J.Nithanadam, advocate for the 2nd defendant herein and the plaintiffs herein having not appeared in person or by advocate and upon reading the plaint filed herein and this Court having observed that the plaintiffs and the defendants does not evince any interest in pursuing the matter, hence no purpose would be served in keeping the matter pending before this Court and It is ordered:-

That the suit in C.S.No.47 of 1996 be and is hereby dismissed for non-prosecution.

WITNESS THE HON'BLE MR.JUSTICE MUNISHWAR NATH BHANDARI CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE 29th DAY OF APRIL 2022.

Sd./-

ASSISTANT REGISTRAR (O.S.I)

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)



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07.06.2022

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C.S. No.47 of 1996

ORDER

DATED : 29.04.2022

THE HON'BLE MRS.JUSTICE
V.BHAVANI SUBBAROYAN

FOR APPROVAL: 08.06.2022

APPROVED ON: 8.6.2022



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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :29.04.2022

CORAM

THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

C.S.No.47 of 1996

1. K.Sivagnanam

2. T.S.Pathy

... Plaintiffs

Vs.

1. Tamil Nadu Karuneegar Sangam,
by its General Secretary
Mr.K.Umapathy

2. Kanagasabapathy

3. Chennai Mahana Karuneegar Sangam
by its General Secretary P.N.Visagan,
22, Balaji Street, Kodambakkam,
Chennai – 24.

...Defendants

Civil Suit filed under Section 92 Civil Procedure Code and Order 7

Rule 1 of C.P.C., and Order IV Rule 1 of O.S.Rules to pass Judgment and

Decree as follows:-

(a) Framing a scheme for the preservation, administration and functioning of the first defendant Trust;

(b) appointing the plaintiffs and some other competent persons of the Karuneegar Caste as Trustees of the first defendant Trust; and

(c) granting such further or other reliefs as this Court may deem fit

and proper in the circumstances of the case.



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For Plaintiff : No appearance

For Defendants : Mr.K.J.Nithanandam – D2

J U D G M E N T

Though this Court on 16.03.2022 directed the learned counsel for the plaintiffs to serve notice on the other side and to post the matter on 12.04.2022, the learned counsel for the plaintiffs has failed to take steps. Further, on 12.04.2022, learned counsel for the defendants reported no instructions from their clients and hence this Court ordered to post the matter on 28.04.2022. On 28.04.2021 also, the learned counsel for the plaintiffs submitted that he had contacted the plaintiffs, however, they did not respond and the matter was directed to be posted on 29.04.2022 'for dismissal'. Today, viz., 29.04.2022, when the matter is taken up for hearing, there is no representation for the plaintiffs.

In view of above, it is clear that the plaintiffs and the defendants does not evince any interest in pursuing the matter, hence no purpose would be served in keeping the matter pending before this Court. Accordingly, the present suit is dismissed for non-prosecution.

Sd./-V.B.S.J
29.04.2022

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

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