

IN THE COURT OF I ADDITIONAL DISTRICT MUNSIF, NAGERCOIL

Present: **Thiru.R.Sundara Kamesh Marthandan, M.L.**,

I Additional District Munsif, Nagercoil.

Tuesday the 10th day of December, 2024

Original Suit No. 84 of 2015

CNR.No.TNKK04-000118-2015

M.Mary Nirmala

...Plaintiff

rep. Through the power holder

V.Patric Rajan

(Amendment carried out as per order in I.A.No.12 of 2023

dated: 11.02.2023)

-vs-

1. M.Antony Lawrence

2. A.Loorthammal

...Defendants

This Suit came before this Court for PW1 Cross Continuation today i.e. 10.12.2024. Mr.B.J.Joy Baskar Advocate for the Plaintiff and Mr.A.Gnanasekar Advocate for the Defendants, Upon PW1 absenting herself today and upon perusal of records, this Court delivered the following:

JUDGEMENT

1. This Suit was filed by the Plaintiff seeking a decree for Permanent Injunction restraining the Defendants or their men or anybody claiming under them from interfering trespassing or disturbing the peaceful possession and enjoyment or from damaging the household articles or cutting the electricity water connection and drainage or forcibly evicting from the schedule property other than due process of law and for cost.

2. PW1 absent in the Roll call during Roll call an adjournment was sought. The same was delined and the case was passed over. Prior to lunch recess, an adjournment petition was filed through a representing counsel. Since on last hearing PW1 was informed, to appear before this Court, today at post lunch session, hence the case was once again passed over. In the post lunch sessions till 4.15.P.M, PW1 had not turned up. There is no representation on her behalf. Merely leaving an adjournment petition, that too sending the same, through an Advocate Clerk and filing through Representing counsel and not turning up thereafter, even when the case is kept passed over, is not proper. The suit is of the year 2015. The same was kept pending, without any progress, almost for one decade. Even after accommodating the PW1, to appear before the Court, at post lunch session today, PW1 had not shown any inclination to proceed with the case. The Plaintiff not interested in prosecuting the Suit. Hence the above suit is dismissed for default. The Plaintiff shall pay the Defendants' cost.

In the result the Suit is dismissed for default.

No cost.

Handwritten in the Docket, and pronounced by me, in Open Court this, the 10th day of December, 2024

Sd/-

I Additional District Munsif,
Nagercoil.

I ADM Court, Nagercoil

Draft/Fair Judgment

O.S.No.84/2015

Dated : 10.12.2024