

IN THE COURT OF SUBORDINATE JUDGE, ERANIEL.

**Present : Tmt. D. Asha Kousalya Shanthini, B.Sc., B.L.,
Subordinate Judge, Eraniel.**

Monday the 15th day of July, 2024

O.S.No.17/2022

S. Rajakumar

... Plaintiff

.vs.

1. B. Lekshmi Bai

2. S. Ramani Bai

... Defendants

This suit coming up for final hearing before me on this day and the plaintiff having been called absent, Since there is no representation for plaintiff though Thiru J.John Jayakumar, Advocate is on record for plaintiff and Thiru. C. Selvakumar, Advocate is on record for defendants and 2nd defendant present and 1st defendant having remained exparte, this court delivers the following:

ORDER

Suit for Declaration that the execution of the Settlement Deed, dated 07.10.2005 and registration of the same before the Manavalakurichy Sub Registrar as Document No.1616 of 2005, execution of the Settlement Deed dated 07.10.2005 and Document No.1615 of 2007, execution of the Settlement Deed dated 24.08.2007 and Document No.1540 of 2007, execution of the Settlement Deed dated 27.04.2005 and registration of the same before the Colachel Sub Registrar as Document No.614 of 2005 and execution of the Settlement deed dated 27.04.2005 as Document No.615 of 2005, partition and permanent injunction may be passed prohibiting the defendants, their men, agents, servants, descendants and successors from causing any disturbances or interferences to the plaintiff's possession and enjoyment over the plaint

schedule properties till the partition and allotment of separate possession of plaintiff's 1/3 share over the plaint schedule properties and costs of the suit.

Plaintiff side evidence (NFA). Plaintiff absent. No representation made for the plaintiff. 2nd defendant present 10.55 a.m. 11.45 a.m. But 2nd defendant present till 11.45 a.m. As it is a long pending case (Since 2015), the suit is posted for plaintiff side evidence continuously for which no representation made and the plaintiff also failed to appear, even today though the case is posted as no further adjournment after giving sufficient time and opportunities. Though at present advocates boycott is going on, that in itself will not be a reason to give further time, for in many other cases plaintiffs keep appearing and sought time. (Today 20 persons present before the court as party in person).

For all these reasons, considering the continuous non-appearance of the plaintiff which shows his lack of interest in pursuing this long pending suit, the suit is dismissed for his own default. No costs.

Pronounced by me in open court on this the 15th day of July, 2024.

Sd/-
Subordinate Judge,
Eraniel.