

IN THE COURT OF SUBORDINATE JUDGE, ERANIEL.

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

Wednesday the 6th day of November, 2024

O.S.No.55/2024

CNR.No.TNKK15-000541-2024

1. A. Pushparaj
2. S. Vijayakumari

... Plaintiffs

.vs.

1. M. Thomas Mathias
2. A. Vincent
3. Kurunthencode Panchayat
Represented by its President, or
BDO of Kurunthencode Union.
4. State of Tamilnadu represented
by District Collector.

... Defendants

This suit coming up for final hearing on this day and the plaintiff having been called absent, since there is no representation for plaintiff though Thiru. A. Kanagasabapathi, Advocate is on record for plaintiffs and Thiru. P. John Xavier, Advocate is on record for 1st and 2nd defendants and Thiru. R. Augustin, Government Pleader is on record for 3rd and 4th defendants, this court delivers the following:

JUDGMENT

Suit for declaration of title and recovery of possession the Gift deed Nos.785/2013 and 984/2013 and may be partially or fully declared as null and void with reference to the plaint schedule property and Permanent injunction restraining the defendants and their men, agents, servants or power holders from

annexing any portion of the plaint 'C' schedule property for forming to recover the cost of the suit.

Posted for Plaintiff side evidence 10.40 a.m., 12.55 Noon. No representation for the plaintiff till 1.15 Noon. No representation for the plaintiff during the after-noon session too when the matter was again called at 2.35 Noon in the open court. In this long pending targetted case, where Joint trial was ordered along with O.S.No.58/2024, though sufficient time and opportunities were given to commence trial in any one of the suits at the earliest, the plaintiffs in both the suits failed to pursue the matter promptly. Though the present suit is posted as 'no further adjournments' because in such targetted cases expeditious disposal is insisted, the plaintiff made no representation till 2.35 Noon. Hence, the suit is dismissed for default. No costs.

Pronounced by me in open court on this the 6th day of November, 2024.

Sd/-
Subordinate Judge,
Eraniel.