

In the Court of District Munsif, Melur

**Present: Thiru.N.Suresh., B.A., B.L.,
District Munsif, Melur**

Thursday, this the 11th day of September, 2018

Original Suit No. 457/2012

1. Rajeshwari Sivapanikkar
2. Mahesh Panikkar
3. Prakash Panikkar
4. Poochi @ Alagu

... Plaintiffs

(The 1 to 3 Plaintiffs are represented through their power agent 4th plaintiff)

/vs/

1. Veeranan
2. Boomiraja *(Died)
3. Sekar
4. Selvi

...Defendants

*(The Defendant no.2 expired on 28.05.2014 and the same was recorded as per the memo dated on 07.11.2016.)

This suit coming before me on this day in the presence of Thiru. K.Sulthan Allowdhin, Advocate for the plaintiffs in the record and of Thiru. M.Vairamani, Advocate for the Defendant no. 1 and of Thiru. C.Sasikumar, Advocate for the Defendant no.4 and Defendant no.2 expired during the pendency of this suit, no steps to implead the LRs were taken by the plaintiff side and summons yet not served to Defendant no.3 and plaintiffs called absent and no representation, this court delivered the following:-

JUDGMENT

This suit filed by the plaintiffs prays for Declaration, Recovery of Possession and Mandatory Injunction and for directing the defendants to pay the cost of this suit to the plaintiffs and for such other reliefs.

Plaintiffs called absent. No representation. On 02.07.2018, I.A.No.1974/2017 was allowed and the suit was posted for taking steps to amend the plaint. But the plaintiff did not take any steps to amend the plaint. As per order 17 rule 1 of CPC, it is noted that "From time

to time adjourn the hearing of the suit for reasons to be recorded in writing and no such adjournment shall be granted more than three times to a party during hearing of the suit". But this suit is posted for taking steps to amend the plaint from 11.07.2018. Already sufficient opportunities were given to the plaintiff as per order 17 rule 1 of CPC. The Hon'ble High Court has directed to dispose the suits which are pending more than five years within stipulated time. The plaintiff has no interest in this suit and the suit is very long pending from the year 2012. Hence, this suit is dismissed for default for non taking of steps to amend the plaint. No costs.

Pronounced by me in the open court, this the 11th day of September, 2018.

(Sd.) Suresh
DISTRICT MUNSIF
MELUR.

District Munsif Court, Melur.
O.S.No.457/2012
Fair/Draft Judgment
Dated: 11.09.2018.