

In the Court of District Munsif, Melur

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

Tuesday, this the 13th day of November 2018

Original Suit No. 295/2015

C. Karanthamalai

... Plaintiff

/vs/

C. Kannan

...Defendant

This suit coming before me on this day in the presence of Thiru. A.S Amirtharaj, Advocate for the plaintiff in the record and of Thiru. S.Sureshkumar, Advocate for Defendant and plaintiff called absent and no representation, this court delivered the following:-

JUDGMENT

This suit filed by the plaintiff prays for Declaration and for directing the defendant to pay the cost of this suit to the plaintiff and for such other reliefs.

Plaintiff called absent. No representation. On 01.09.2018, I.A.No.1463/2018 under order 6 rule 17 was allowed and the suit is posted to carryout the amendment. As per order 6 rule 18 of CPC, amendments should be carried out within 14 days from the date of order. But, the Plaintiff did not take any steps to carry out the amendment as per order 6 rule 18 of CPC. 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 carry out the amendment on the following dates viz., 27.09.2018, 11.10.2018, 26.10.2018 and today itself for

carry out amendment. Already sufficient opportunities were given to the plaintiff as per order 17 rule 1 of CPC. The plaintiff has no interest in this suit and the suit is long pending from the year 2015. Hence, this suit is dismissed for default for non taking of steps to carry out the amendment. No costs.

Pronounced by me in the open court, this the 13th day of November, 2018.

(Sd.) Suresh
DISTRICT MUNSIF
MELUR.

Plaintiff's side witness:

Karanthamalai, S/o. Late. Chinnaiah Ambalam

Plaintiff's side documents:

Ex.A.1 11.04.1994 Certificate copy of Sale Deed

Ex.A.2 12.12.2002 Certificate copy of Mortgage Deed

Ex.A.3 23.03.2015 Manaivari Thoraya Patta in the name of C.Karanthamalai Ambalam,
S/o. Chinnaiah

Ex.A.4 31.03.2015 House tax receipt in original

Defendant's side witness

& documents:-Nil

(Sd.) Suresh
DISTRICT MUNSIF
MELUR.

District Munsif Court, Melur.
O.S.No. 295/2015
Fair/Draft Judgment
Dated: 13.11.2018