

Application No.3688 of 2016
in C.S. No.412 of 2008

PUSHPA SATHYANARAYANA, J.

Heard the learned counsel appearing for the applicant and the learned counsel appearing for the respondents.

2.This application is filed to modify the order in O.A. No.528 of 2008 in C.S. No.412 of 2008 dated 13.08.2003 and to permit the applicant to renew the deposits more fully set out in the schedule as mentioned in the judges summon.

3.It is seen that there was an order passed by this Court in O.A. No.528 of 2008 in C.S. No.412 of 2008 injunctiong the applicant/first defendant from alienating or encumbering or dealing with the properties set out in the schedule. The applicant as first defendant has stated that he had no intention to alienate or encumber the shares standing in the name of the HUF and that the total amount regarding deposits with Sundaram Finance Limited is Rs.60 lakhs as shown in the schedule. It is further shown in the schedule the various deposits maturity and the date on which they could be sent to the Investor Protection Fund (IPF) and out of the same, four deposits may be transferred to the IPF on August 16, if they are not renewed.

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4.It appears from the schedule that all fixed deposits already matured in the year 2012 itself, though a few deposits are in the individual name and a few in the name of HUF. Hence, without prejudice to the rights of all the parties, the deposits as mentioned in the schedule may be renewed with Sundaram Finance Limited for a period of three years.

5.Accordingly, this application is ordered to the extent indicated above in modification of the earlier order passed in O.A. No.528/2008 in C.S. No.412/2008 on 13.08.2008.

08.08.2016

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Note: Issue order copy on 09.08.2016

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