

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Tuesday, the Fourth day of July Two Thousand Seventeen

PRESENT

THE HON`BLE MR JUSTICE R. SUBRAMANIAN

CMP No.8750 of 2017

IN AS.707/2012

1 NOORJAHAN

[PETITIONERS]

2 G.SHAKIRA

Vs

1 AMUTHA

[RESPONDENT]

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to permit the petitioner to deposit the amount of Rs.4,37,000/- towards refund of advance amount of Rs.1,90,000/- with interest at 12% per annum from 01/06/2006 till 31/03/2017 in the above suit account O.S.No.264/2010 on the file of the District Judge, District court No.2, Kanchipuram (in CMP No.8750 of 2017) pending disposal above AS.707/2012

Order : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.A.SIKKANDAR, Advocate for the petitioner and of M/S.D.STEPHEN, Advocate of the Respondent the court made the following order:-

The Appeal in AS No.707 of 2012 was allowed on 18.01.2017, granting the alternative relief of refund of advance amount.

2.The petitioners now seek to deposit the advance amount to the credit of suit in OS.No.264 of 2010 on the file of the learned District Judge, District Court No.2, Kancheepuram.

3. The direction sought for by the petitioners cannot be issued by this Court. It is open to the petitioners to move the trial Court to deposit an amount as per the decree passed by this Court in AS No.707 of 2012 dated 18.01.2017.

4. The petition is dismissed accordingly.

-sd/-
04/07/2017
/ TRUE COPY /

Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE DISTRICT JUDGE
DISTRICT COURT-2 KANCHEEPURAM

C.C. to M/S.A.SIKKANDAR Advocate on payment of necessary
charges

C.C. to M/S.D.STEPHEN, Advocate on payment of necessary charges

Order

in
CMP.8750/2017

in
AS.707/2012

Date :04/07/2017

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