

O.A.No.607 of 2017
in
C.S.No.949 of 2016

V.PARTHIBAN,J.

This is an application filed by the applicant/plaintiff, seeking the following relief:

"to pass an order of interim injunction restraining the respondents, their men, agents or any of them acting on behalf of the respondents in any way coercing the applicant, his men and agents by illegally taking possession of the original documents, other than in due process of law."

2. On the last occasion, when the matter came up hearing on 21.06.2017, the learned Senior counsel appearing for the respondents submitted that the respondents would file an affidavit of undertaking and would also furnish bank guarantee for Rs.25 lakhs, as part of the claim made in the suit.

3. Today, the second respondent has filed an affidavit stating as follows:

"2. I submit that in respect to the above application I hereby undertake not to alienate the property situated

with land and building bearing Door No.338/A, Adambakkam Village, M.K.N.Road, bearing Survey No.12 Part., T.S.No.175, Plot No.3, admeasuring about 1417 sq.ft., which stands in my name. I further submit that to my knowledge the present market value of the above said property is One Crore and above. I further undertake to produce a bank guarantee of Rs.25,00,000/- (Rupees Twenty Five Lakhs only) until further orders passed by this Court.

3.I submit that the above undertaking is given without prejudice to my defence raised in the above suit and applications."

4. In view of the affidavit of undertaking filed by the second respondent, this application is closed directing the second respondent to furnish bank guarantee, as undertaken by him, on or before 30.06.2017. It is made clear that this order is passed without prejudice to the rights of the parties, which can be decided in the suit.

22.06.2017

msk

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