

A.No.2487 of 2017

in C.S.No.626 of 2014

K.KALYANASUNDARAM,J

This application has been filed to direct the respondents/defendants to pay the damages for the period from 01.01.2017 to 31.03.2017 and continue to pay at the rate of Rs.66,000/- per month to the applicants/plaintiffs till the disposal of the above suit.

2. Mr.V.Ravi, learned counsel for the applicants would submit that that the suit has been instituted for recovery of damages. This Court, on 28.01.2015 in A.No.6105 of 2014 directed the respondent to pay a sum of Rs.24,42,000/- towards arrears of rent from 01.01.2012 to 31.01.2015 at the rate of Rs.66,000/- for a period of 37 months. It is further submitted that the respondents were paying damages at the rate of Rs.66,000/- till December 2016 and thereafter, they have failed to make the payment and hence, this application is filed.

3. Mr.O.R.Santhanakrishnan, learned counsel for the respondents would submit that the lease was renewed on 23.1.2012 in and by which, the respondents have agreed to pay 20% towards escalation of rent every five

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years. So, the respondents are ready to pay the rent at the rate of Rs.79,200/- from 01.01.2017 to 31.12.2021, however now they only seek time to make payment.

4. In reply, the learned counsel for the applicants would submit that the applicants had already terminated the dealership agreement and the applicants are interested to get back the suit property and till then, they are entitled for damages at the rate of Rs.66,000/- and they do not agree for extension / renewal of the lease agreement.

5. In view of the submissions made on either side, the respondents are directed to pay the arrears of rent/damages at the rate of Rs.66,000/- per month from 01.01.2017 within a period of four weeks from today and continue to pay Rs.66,000/- per month to the applicants on or before the 5th day of every English Calender Month till the disposal of the suit.

26.04.2017

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Note: Issue order copy on 03.05.2017
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