

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

THURSDAY, THE 17th DAY OF AUGUST 2017

THE HON'BLE MR. JUSTICE C.V.KARTHIKEYAN

A. No.3729 of 2017
in
C.S. No.532 of 2017

M/s.Malles Constructions Private Limited,
rep. by its Managing Director,
Mr.U.Chandraprakasam,
having registered office at
No.19, Tanjore Road,
T.Nagar, Chennai-600 014. ... Applicant/Plaintiff

-Versus-

K.Jayanthi,
W/o.S.Krishna Kumar,
Old No.18, New No.2,
3rd Cross Street, Pulla Avenue,
West Shenoy Nagar, Chennai-600 030. ... Respondent/Defendant

Application praying that this Hon'ble Court be pleased to direct the respondent to furnish security to an extent of Rs.3,48,00,000/- (Rupees three crores and forty eight lakhs only) within a time specified by this Hon'ble Court failing which to pass an order of attachment before judgment of the property detailed in the schedule to the Judge's Summons.

This application coming on this day before this court for hearing **the court made the following order:-**

Application No.3729 of 2017 has been filed by the applicant/plaintiff to direct the respondent/defendant to furnish security to an extent of Rs.3,48,00,000/-within a time

specified by this Court, failing which to pass an order of attachment of the suit property.

2. A counter has been filed in A.No.3729 of 2017 by the respondent/defendant.

3. In paragraph no.4 of the said counter affidavit it has been stated that, her husband had incurred lot of liabilities. She has also stated that, she had received a sum of Rs.5 crores from the plaintiff Company, initially a sum of Rs.3 Crores and subsequently, another sum of Rs. 2 Crores. She also stated that, she had handed over all the original title documents on 28.03.2016 to the signatory, Mr.U.Chandraprakasam, Managing Director of the Plaintiffs' company. According to her, this was only for the purpose of undertaking constructions over the property and not for sale. Subsequently, she has also stated that, since the original title deeds/documents are with the plaintiff, she has no intention to alienate or encumber the suit property, till the disposal of the suit.

4. Heard the learned counsel for the plaintiff. It is the apprehension of the learned counsel that, if there is any violation on the undertaking given by the respondent/defendant to the effect that, if there is any alienation in the suit property, then the plaintiff would not

From 25.09.2008 the Registry is issuing certified copies of the Order/Judgment Decree in this format.