

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.11.2017

CORAM:

THE HON'BLE JUSTICE **C.V.KARTHIKEYAN****C.S. No. 869 of 2015**

V.S. Natarajan,
rep. by Proprietor of
Devi Enterprises,
169-A, Sundaram Nagar,
Medical College Road,
Thanjavur 613 004

Plaintiff

Vs

Juku Reality Services Private Limited,
S-3, Royal Suite, 2nd Floor,
No.14, Saravana Street,
T.Nagar, Chennai - 600 017.

rep. by its Directors

1. Poovazhagan
2. Priyadharsini
3. Ramanathan
4. Mohanraj

Defendant

For Plaintiff : M/s.A.K.M.Samsunihar and
R.Ismail

For Defendant : Mr.V.John Aquinas

PRAYER : Complaint has been filed Under Order VII, Rule 1 of Civil Procedure code read with Order VII Rule 1 of the O.S. Rules (a). directing the defendant to pay the plaintiff a sum of Rs.42,00,000/-(Rupees Forty Two Lakhs Only) together with further interest 24% on Rs.25,00,000/-(Rupees Twenty Five Lakhs Only) from the date of complaint till realization in full (b). direct the defendant to pay

the plaintiff the costs of the suit and (c). to pass such further or other Order.

J U D G M E N T

The Suit in C.S.No.869 of 2015 has been filed seeking recovery for a sum of Rs.42,00,000/-(Rupees Forty Two Lakhs Only), being a principal sum of Rs.25,00,000/-(Rupees Twenty Five Lakhs Only) and interest at the rate of 24% on the said Rs.25,00,000/- (Rupees Twenty Five Lakhs Only) from the date of plaint till the date of realisation and the cost of the suit.

2. According to the plaintiff, he had given a sum of Rs.25,00,000/-(Rupees Twenty Five Lakhs Only) as loan by two cheques bearing No.253420 dated 21.08.2012 and another cheque bearing No.253421 dated 22.08.2012. The first cheque for Rs.10,00,000/-(Rupees Ten Lakhs Only) and the second cheque for Rs.15,00,000/-(Rupees Fifteen Lakhs Only), both were drawn on Catholic Syrian Bank, Thanjavur.

3. Though summons were served on the defendant, the defendant did not filed his written statement.

4. Consequently, this Court had set the defendant as exparte and invited the plaintiff to let in exparte evidence.

5. Accordingly, plaintiff examined himself as P.W.1 and filed his proof affidavit and he also filed in support of his case, three documents namely; Bank statement showing deposit of cheque bearing No.253420 dated 21.08.2012 which is Ex.A.1, bank statement showing deposit of cheque bearing No.253421 dated 22.08.2012 which is Ex.A.2 and the statement of Catholic Syrian Bank, Thanjavur Branch dated 01.04.2012 is Ex.A.3.

4. Since the issue of cheques and the deposit has been being established, the suit is decreed as prayed with costs.

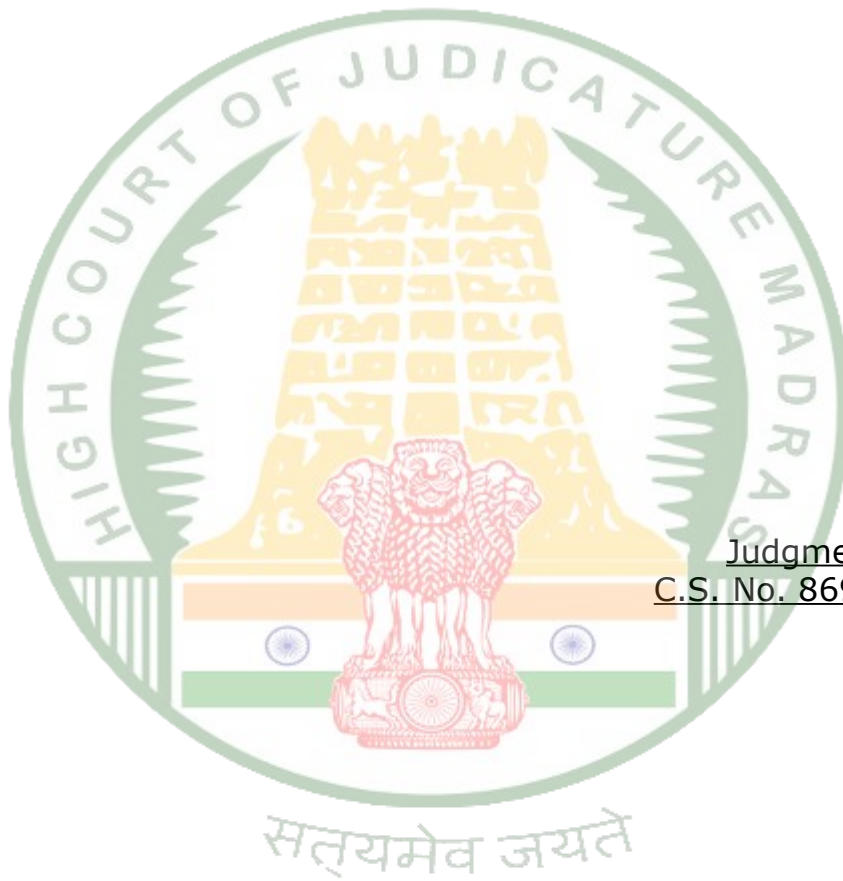
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C.V.KARTHIKEYAN, J

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Judgment in
C.S. No. 869 of 2015

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