

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.01.2017

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

CS.No.926 of 2010
OA.No.1181 of 2010

V.Velayudam

Plaintiff

Vs

1. Jayanthi Krishnamurthy
Proprietrix of M/s.J.K.Midas Estates
Chennai-26

2. S.Kanakavalli

Defendants

Prayer:- This Civil Suit is filed to pass a judgement and decree against the Defendants, (a) for specific performance of the agreement of sale dated 27.9.2010 by directing the Defendants to execute and register the sale deed in favour of the Plaintiff, conveying the schedule mentioned property on receipt of Rs.1,15,00,000/- (Rupees one crore fifteen lakhs only) and in case of default, to direct the Registrar of this Court to execute and register the sale deed for the schedule mentioned property in favour of the property and (b) for costs.

For Plaintiff : Mr.G.Ravishankar

For Defendant : Mr.T.P.Shankaran

JUDGEMENT

There is no representation on behalf of the Plaintiff. There was an earlier order dated 18.11.2010, directing the Plaintiff to deposit the balance sale consideration of Rs.1.15 crores before this court within a period of 10 days from the date of receipt of the copy of the order dated 18.11.2010. The office was directed to put up a note by order dated 19.12.2016 whether the said

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direction had been complied with. Now, the Office has put up a note, stating that no amount has been deposited as per the order dated 18.11.2010. It is also seen that the 1st Defendant had died and the details had also been furnished to the learned counsel for the Plaintiff. However, steps have not been taken to bring on record the legal representatives of the deceased 1st Defendant. Since the plaintiff has not complied with the directions of this court and since they are not interested even in bringing on record the legal representatives of the deceased 1st Defendant, this civil suit is dismissed for default. No costs.

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Index:Yes/No
Web:Yes/No
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