

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.09.2017

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

C.S.No.759 of 2012

M/s.Meenakshiammal Trust
Rep by its Managing Trustee
A.N.Radhakrishnan,
No.641, Ramasamy Salai,
K.K.Nagar, Chennai 600 078

... Plaintiff

Versus

1. M/s.R.RB Energy Limited
(Formerly known as Vestas RRB India Limited)
Registered Office: GA-1/B-1 Extension,
Mohan Co-operative Industrial Estate,
Mathura Road, New Delhi 110 044
Administrative Office
No.182/2, By-Pass Road,
Poonamallee, Chennai 600 056

2. M/s.Prestige Estates Projects Limited
'The Falcon House' No.1, Main Guard
Cross Road, Bangalore 560 001

Defendants

Plaint filed under Order VII Rule 1 C.P.C read with Order IV Rule 1 of O.S.Rules r/w Section 10 of the Specific Relief Act prays (a) directing the first defendant to convey the property as detailed in the schedule hereunder as described in the plaint herein by due execution and registration of the sale deed as per law in favour of the plaintiff on payment of balance of sale consideration of Rs.52,99,89,999/-

(Rupees Fifty Two Crores Ninety Nine Lakhs Eight Nine Thousand Nine Hundred and Ninety Nine only) failing which this Court to execute and register the sale deed in respect of the schedule mentioned property as described in the plaint herein in favour of the plaintiff (b) To direct the first defendant to deliver the possession of the schedule mentioned property as described in the plaint herein to the plaintiff in pursuance of the relief (a) above (c) In the alternative to relief (a) directing the first defendant to refund the advance of Rs.2,00,10,001/- along with interest ad 15% from 12.03.2012 to 21.09.2012 for six months (rounded off) notionally is Rs.15,00,750/- in all Rs.2,15,10,751/- till date of payment by the first defendant; d) To set aside the sale deed dated 07.06.2012 and registered as document No.3314/2002/Book I, SRO, Virugambakkam executed and registered by the first defendant in favour of the second defendant in respect of the schedule mentioned property as described in the plaint herein, as void, inoperative and not binding on the rights of the plaintiff and to be cancelled by this Court and (e) For costs of the suit.

For Plaintiff : Mr.R.Krishnaswamy

For Defendant-1 : Mr.R.Senthilkumar

For Defendant-2 : Mr. A.Tamilvanan

J U D G M E N T

The learned counsel for the plaintiff has made the following endorsement:

"The above suit (C.S.No.759 of 2012) is settled and hence the plaintiff prays for refund of Court fee paid in the plaint as per law".

2. In view of the same, the suit is dismissed as settled out of the Court. Office is directed to refund the Court fee in accordance with the rules.

07.09.2017

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C.V.KARTHIKEYAN, J.

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