

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:09.03.2017

CORAM

THE HON`BLE MR.JUSTICE T.RAVINDRAN

C.S.No.88 of 2013

A.Abdul Gafoor

.. Plaintiff

VS.

1.K.Kandasamy

2.P.Kannan

.. Defendants

Civil Suit filed under Order IV Rule 1 of Original Side Rules 1956 read with Order VII Rule 1 CPC praying for the following judgment and decree against the defendants for the following reliefs:

a)for specific performance of the sale agreement dated 23.01.2012 by directing the defendants to execute the sale deed in favour of the plaintiff, after receiving the balance of sale consideration of Rs.10,62,747/- failing which to execute the sale deed and convey the legal possession of the suit property to the

plaintiff and

b) costs of the suit;

For Plaintiff :Mr.Sivasankarane

For defendants :No Appearance

J U D G M E N T

The suit has been laid by the plaintiff for specific performance of the sale agreement dated 23.01.2012 by directing the defendants to execute the sale deed in favour of the plaintiff, after receiving the balance sale consideration of Rs.10,62,747/-, failing which, convey legal possession of the suit property by the court on behalf of the defendants.

2. The defendants have been set ex-parte.

3.In support of the plaintiff's case, PW1 has been examined to buttress his pleas and Exs.P1 to P34 were marked.

4. On a perusal of the evidence of PW1 and also the documents marked as Exs.P1 to P34 would go to show that the plaintiff is entitled to seek the relief of specific performance as prayed for. Accordingly, it is held that the plaintiff has established his claim through the evidence of PW1 and Exs.P1 to P34.

5. In the result, the suit is decreed as prayed for with costs. Time for paying the balance sale consideration is 15 days. The defendants are granted two months time to execute the sale deed.

09.03.2017

Index : Yes/No

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T.RAVINDRAN.J.

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