

A.No.2340 of 2019 in
C.S.No.335 of 1998

R.SURESH KUMAR, J.

The prayer sought for herein is to permit the plaintiff M/s.Alwarpet Benefit Fund Ltd., Represented by its Commissioner Mr.Justice A.Raman, (Retired Judge, High Court, Madras) to withdraw a sum of Rs.5,00,000/- lying in the credit of C.S.No.335 of 1998 and issue cheque in favour of plaintiff.

2. It is submitted by the learned counsel appearing for the applicant that, already a compromise decree was passed in this suit and in this regard, the plaintiff is entitled to get a sum of Rs.5,00,000/- (Rupees Five Lakhs Only), which amount is already lying with this Court in the credit of the suit in C.S.No.335 of 1998.

3. The learned counsel appearing for the respondents, except the fourth respondent submitted no objection in allowing this application. The fourth respondent has already been set exparte in the suit itself.

4. The Joint Registrar (Original Side) on 29.01.2019 issued a certificate that, a sum of Rs.5,00,000/- (Rupees Five Lakhs Only) is standing to the credit of C.S.No.335 of 1998, as Court deposit, which bears no interest.

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5. Since the respondents have no objection in making the said payment to the plaintiff and the said amount is also lying in the credit as certified by the Joint Registrar of this Court and already there is a compromise decree, this Court feels that, there is no further impediment for this Court to allow this application.

6. Hence, the Registry is directed to issue the payment out for a sum of Rs.5,00,000/- (Rupees Five Lakhs Only) in favour of the plaintiff within a period of one week from today.

With these direction this application is allowed.

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01.04.2019

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