

O.A.No. 287 of 2015
in
C.S.No. 202 of 2015

R.SUBRAMANIAN, J.

The learned counsel for the applicant has filed a memo seeking to give up the 4th respondent in suit. The said memo is recorded, the 4th respondent is deleted from the array of parties in the suit in C.S.No.202 of 2015. Consequentially, the 4th respondent is also deleted from the array of parties in O.A.No. 287 of 2015.

2. The service on respondents 1 to 3 have been completed. They have also filed written statement. O.A.No.287 of 2015 has been filed seeking appointment of a receiver. The suit is one for partition, the appointment of a receiver is an extraordinary remedy and the same cannot be granted for the mere asking. The only allegation made in the affidavit filed in support of this application is that the respondents have let out several portions of the property and deriving monthly income and for obvious reasons respondents are not disclosing rental income in spite of several demands. This allegation is wholly insufficient to appoint a receiver. Hence, this application is dismissed. However, there will be a direction to the respondents to file accounts of the rental income from the property within a period of four weeks from today i.e.,11.07.2019 .

11.07.2019

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