

O.A.No. 701 of 2016
in
C.S.No. 576 of 2016

R.SUBRAMANIAN, J.

The plaintiffs seek appointment of a receiver to collect the rents in respect of the suit properties. It is settled law that appointment of receiver is an extraordinary remedy and sharer to in possession cannot be dispossessed unless it is absolutely warranted. There is no allegation that the defendants have committed any act of waste so as to impair the material value of the property subject matter of the suit. It is claimed that the defendant is collecting rents. Ultimately, the plaintiffs succeed, they would be entitled to mense profits and they can claim the share of mense profits in the final decree proceedings. In view of the same, I do not see any reason for appointing of receiver. Hence, this application is dismissed with a direction to the respondent to maintain regular accounts of the rental income from the property.

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