

A.No.8212 of 2019
in C.S.No.116 of 1984

PUSHPA SATHYANARAYANA, J.

The plaintiff has taken out this application seeking for payment out of the court deposit of Rs.13,26,935/- lying to the credit of the suit in C.S.No.116 of 1984 to be issued / paid to its nominee.

2. The applicant herein is the decree-holder. The applicant filed the suit for recovery of Rs.29,85,236.12 together with interest, which was decreed on 04.01.2000 directing the first defendant to pay a sum of Rs.26,37,983.88 with further interest. The appeal filed by the first defendant in O.S.A.No.256 of 2000 was dismissed by this Court and the decree attained finality. On 20.11.2000, the first defendant had deposited a sum of Rs.13,26,935/- to the credit of the suit. Now the applicant filed this application seeking payment out of the said amount deposited by the first defendant. Since the applicant is not conducting the business for the last few years, it sought payment in favour of M/s.Sugesan Finance Investment.

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3. Learned counsel for the respondents/defendants has expressed no objection for releasing the said amount by allowing this application and also an endorsement in the case bundle.

PUSHPA SATHYANARAYANA, J.

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4. Considering the submissions of the learned counsel on either side, this application is allowed and the Registry is directed to pay a sum of Rs.13,26,935/-, lying to the credit of the suit, to the nominee of the decree holder M/s.Sugesan Finance Investment.

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05.11.2019



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