

CMP.No.25705 of 2019
in
A.S.No.266 of 2007

S.M.SUBRAMANIAM, J.

This Civil Miscellaneous Petition is filed to permit the members of the petitioner/Association to deposit the sale consideration as per their entitlement and holdings, which is elaborately stated in the Annexure filed along with this application.

2.The learned counsel appearing on behalf of the petitioner states that the respondent Nos.1 to 14, as owners agreed to convey the lands measuring about 117 grounds in T.S.No.54 Part and 62 of Block 2 of Ayanavaram Village, Chennai District. An agreement to this effect was entered into on 19.06.1978 and the sale price was fixed at Rs.9,00,000/-. The High Court modified the decree of the Trial Court to the extent that the plaintiffs were directed to deposit additional sum of Rs.11,24,60,820/- being Rs.400/- per Sq. ft., of land within a period of 6 months.

3.The learned counsel appearing on behalf of the petitioner states that many members of the petitioner/association are willing to deposit the entire sale consideration so as to ensure that the reconstructions are done without any defect. Some of the members are yet to express their readiness and under these circumstances, the members who are all ready may be permitted to deposit their respective portions of the sale consideration and under these circumstances, the present petition is filed.

S.M.SUBRAMANIAM, J.

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4.The learned counsels appearing on behalf of the other parties/ respondents have no serious objections in considering this petition. In view of the fact that no prejudice would be caused in depositing the balance sale consideration, this Court is inclined to consider the petition filed in this regard. Accordingly, the members of the petitioner/association are permitted to deposit the sale consideration as per their entitlement and holdings which is elaborately stated in the Annexure filed along with this Application on or before 15.02.2020. The Annexure enclosed with this Petition shall form part and parcel of this order.

5.With the above directions, this Civil Miscellaneous Petition stands allowed.

12.12.2019

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Note: Registry is directed to number the Appeal, if it is otherwise in order.

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