

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Monday, the Fourth day of March Two Thousand Nineteen

PRESENT

THE HON`BLE MR JUSTICE M.M.SUNDRESH

and

THE HON`BLE MR.JUSTICE C.SARAVANAN

CMP No.20428 of 2018

in AS.No.317 of 2018

1 MR.V.S.KRISHNAMURTHY [PETITIONERS]

2 MRS.BHAVANI KRISHNAMURTHY

3 MR.V.K.PRAVIN KUMAR

4 MR.V.K.PRADEEP

Vs

1 MR.K.RAMACHANDRAN [RESPONDENTS]

2 MRS.R.JAYALAKSHMI

3 MR.R.KANNADASAN

4 MR.R.PALANI

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to permit the Petitioners/Respondents to deposit the entire amounts in court as per order in OS No. 423/2008 on the file of Honble Additional District and Sessions Judge at Chengalpattu by way of Fixed Deposit after cancelling the 4 demand drafts vide DD bearing No.217152 for the amount of Rs.968500/-in favour of Mr.Kannadhasan, DD bearing No.217153 for the amount of Rs.968500/- in favour of Mr.R.Palani, DD bearing No.217154 for the amount of Rs.968500/- in favour of Mr.K.Ramachandran, DD bearing No.217155 for the amount of Rs.968500/- in favour of Mrs.R.Jayalakshmi(in CMP.No.20428/2018)

Order : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.D.S.RAMESH, Advocate for the petitioner and of M/S.RAJENDRAKUMAR for M/S.SPAN ASSOCIATES, for the respondents the court made the following order:-

(Order of the Court was made by **M.M.SUNDRESH, J**)

The respondent in the appeal, who is the defendant in the suit filed for specific performance, is the petitioner herein and he seeks permission to deposit the amount as ordered by the Court below.

2.The appeal has been preferred by the plaintiffs in the suit aggrieved over the rejection of prayer sought for specific performance. Since the petitioners herein want to show their bonafides, we are inclined to allow this petition. Accordingly, this petition is allowed and the petitioners are directed to deposit the amount as ordered by the Court below, within a period of four weeks from the date of receipt of a copy of this order, in any one of the nationalised banks in fixed deposit initially for a period of three years, which shall be renewed periodically.

Post the appeal for final hearing on 10.06.2019.

-sd/-

04/03/2019

/ TRUE COPY /

Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE ADDITIONAL DISTRICT
JUDGE, CHENGALPET.

C.C. to M/S.D.S.RAMESH Advocate on payment of necessary charges

C.C. to M/S.SPAN ASSOCIATES, on payment of necessary charges

Order

WEB COPY

in
CMP.20428/2018

in AS.NO.317 of 2018

Date :04/03/2019

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KP(13/03/2019)