

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.11.2016

CORAM

THE HON'BLE MRS.JUSTICE PUSHPA SATHYANARAYANA

C.S.No.553 of 2013

R.PRADEESH

[PLAINTIFF]

Vs

1 P.GOPI KUMAR

2 S.SAKTHIVEL

3 M/S.INDIAN BANK

REP. BY ITS MANAGER

[DEFENDANTS]

Plaint filed praying to pass a judgment and decree against the defendants

For Plaintiff : No Appearance

For Defendants 1 and 2 : Mr.V.Manohar

ORDER

Heard the learned counsel appearing for the defendants and perused the pleadings.

2. The following issues are framed for trial and adjudication:-

(i) Whether the plaintiff has got right or title over the suit property?

(ii) Whether the sale deed executed by the first defendant in favour of the second defendant dated 19.05.2011 is null and void?

(iii) Whether the mortgage deed executed by the second defendant in favour of the third defendant dated 23.06.2011 is binding on the plaintiff?

(iv) Whether the plaintiff is entitled for injunction as prayed for?

(v) Whether the second defendant has acquired right, title through valid transaction or not?

(vi) To what other reliefs, the plaintiff is entitled to?

3. Affidavit of documents and list of witnesses shall be filed within two weeks from today. Inspection of documents shall be done within a period of two weeks thereafter. The Registry is directed to post the case before the learned Additional Master-IV for recording evidence on 01.12.2016. Proof affidavit of PW-1 by then. Both parties are directed to co-operate with the learned Additional Master-IV for recording evidence and the learned Additional Master-IV is directed to complete the process of recording evidence within a period of twelve weeks thereafter and list the case before this Court for arguments.

09.11.2016

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PUSHPA SATHYANARAYANA,J.,

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