

A.No.4958 of 2019 & O.A.No.680 of 2019

in

C.S.No.430 of 2019

SENTHILKUMAR RAMAMOORTHY, J.

This application is filed to appoint a receiver to collect rent from the tenants of the schedule mentioned properties and deposit the same to the credit of the suit, pending disposal of the suit.

2. I heard the learned counsel for the applicants and the learned counsel for the respondents.

3. During the last hearing, the learned counsel for the respondents had submitted that he would indicate the amount that the respondents are willing to deposit into a separate bank account on a without prejudice basis as an interim arrangement pending disposal of the suit. This application was listed today for the above purpose.

4. The learned counsel for the respondents submitted that an affidavit of Mrs.J.Dhakshayini/first respondent herein, wherein it is

stated as follows:

"4.Considering the above, I pray that this Honourable Court may be pleased to permit to deposit a sum of Rs.10,000/- per month to the credit of a separate bank account which I intend opening for the said deposit. The said deposit would be made strictly without prejudice to the rights of the defendants in the above suit, towards the "alleged" share of the both the plaintiffs, in order to show my *bona fides* from and out of the rental income with effect from February 2020 till the final outcome of the above suit as well as the proceedings that have been initiated for obtaining the probate of the Will dated 25/05/2000 executed by my late husband."

5. On the above basis, the learned counsel submitted that a deposit of a sum of Rs.10,000/- per month would be made in a separate savings Bank Account in the name of Mrs.J.Dhakshayini and Mr.J.Saravanan, namely, the respondents herein.

6. The learned counsel for the applicants submitted that the

applicants are willing to accept the interim arrangement without prejudice to their rights in this suit. Accordingly, this application is disposed of by issuing the following directions:-

1. The respondents shall open a separate savings bank account in the joint names of Mrs.J.Dhakshayini and Mr.J.Saravanan on or before on 13.03.2020.

2. The respondents shall deposit a sum of Rs.10,000/- per month into the said account from and out of rent received from the suit schedule properties.

3. The respondents shall provide a statement of account reflecting the credits of the said amount once in every six months.

4. Immediately upon the establishment of the said savings bank account, the respondents shall provide necessary particulars to the applicants.

5. The respondents shall not withdraw any amounts from the said account or use the said amount until disposal of the suit.

WEB COPY

List the case O.A.No.680 of 2019 for enquiry on

10.02.2020.

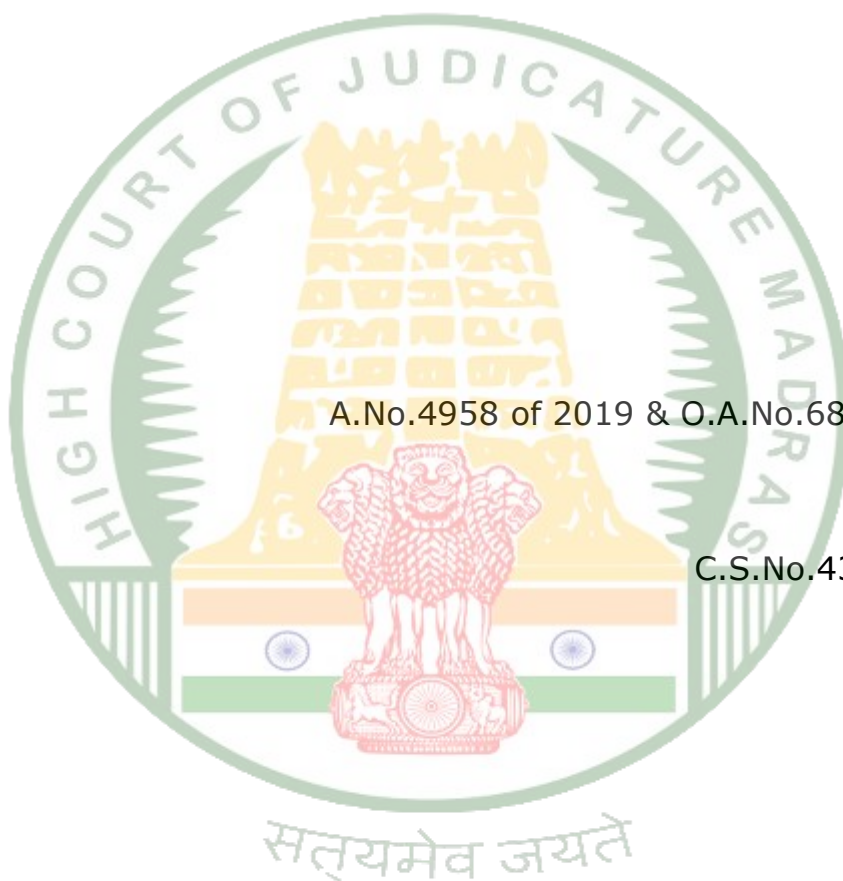
**A.No.4958 of 2019 & O.A.No.680 of 2019 in
C.S.No.430 of 2019**

kal

03.02.2020

SENTHILKUMAR RAMAMOORTHY, J

kal



A.No.4958 of 2019 & O.A.No.680 of 2019

in

C.S.No.430 of 2019

WEB COPY

03.02.2020

4/4