

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.09.2017

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

C.S.No.913 of 2017

and

A.Nos.4745 & 4746 of 2004, 853 of 2005 and 674 of 2011

B.Kishinchand

...

Plaintiff

Versus

1. Mr.G.Nandagopal
2. The Chief Secretary,
Government of Tamil Nadu,
Fort St. George,
Chennai-600 005.
3. The Collector,
Chennai District,
Rajaji Salai,
Chennai-600 003.

...

Defendants

Plaint filed under Order IV Rule 1 of Original Side Rules r/w Order VII Rule 1 of C.P.C. prays (a) directing the defendants to execute a sale deed in respect of the suit schedule mentioned property conveying the same in terms of the sale agreement dated 27.01.2000 within such time as may be fixed and upon such conditions as may be fixed in this behalf after receipt of the balance of sale consideration, and in case of the failure of the defendant to comply with the said direction to execute such conveyance by the Hon'ble Court for and on behalf of the defendant, when the said Smt.

Hamsa Kanthamma and 1st defendant had given a receipt for the money received as aforesaid on the said day, when the plaintiff (ii) in case the Hon'ble Court for any reason is pleased to decide that the plaintiff is not in actual possession of the schedule mentioned, to direct the defendant and persons claiming under him to put the plaintiffs in possession of the same. (iii) to award costs of the above suit.

For Plaintiff : Mr.R.Swaminathan

J U D G M E N T

The learned counsel for the plaintiff has made the following endorsement:

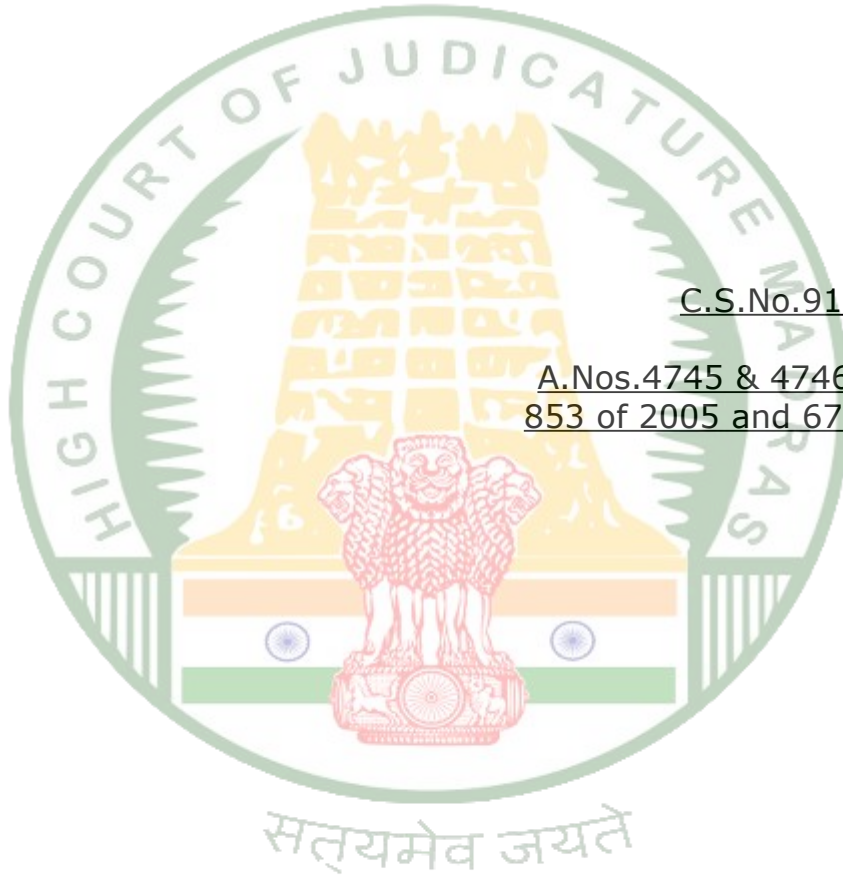
"The suit dispute is settled out of Court and the plaintiff has received a DD bearing No.910279 dated 16.08.2017 issued in the name of the plaintiff issued by SBI, Kilpauk Branch. The Court fee paid on the plaint may kindly directed to be refunded."

2. In view of the same, the suit is dismissed as settled out of the Court. Office is directed to refund the Court fee in accordance with the rules.

06.09.2017

srn/sji

C.V.KARTHIKEYAN, J.
srn/sji



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