



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Thursday, the Fifth day of August Two Thousand Twenty One

PRESENT

THE HON`BLE MR JUSTICE M.M.SUNDRESH

AND

THE HON`BLE MRS JUSTICE S.KANNAMMAL

CMP No.10883 of 2021 and 19101 of 2019

IN OSA.247 of 2015

S.SRINIVASAN

PETITIONER IN BOTH THE PETITIONS

Vs

J.VINCENT

RESPONDENT IN BOTH THE PETITIONS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to take on record the order dated 30.06.2021 passed by the Chief Planner, Administration, Chennai Metropolitan Development authority, Egmore and direct the Registrar High Court to refund the sum of Rs.50,11,500 (Rupees Fifty Lakhs Eleven Thousand five Hundred Only) i.e. Rs.50,00,000 deposited on 08.04.2020 and 11,500 deposited on 17.08.2020 along with accrued interest deposited in the account of C.S No.413 of 2011 before the Registrar General High Court of madras to the Appellant (Mr.Vincent) to Account No.5020054186348, HDFC Bank, Koyambedu Branch (in CMP No.10883 of 2021) and;

(2) To direct the Respondent to receive the said amount a sum of Rs.50,11,500/- (Rupees Fifty Lakhs Eleven Thousand Five Hundred Only) and hand over the physical possession Shop No.FC-28 Flower Market, Koyembedu, Chennai in CMP No.19101 of 2019.

Order : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.R.NATARAJAN, Advocate for the petitioner in both the petitions and of MR.SETHURAMAN, Advocate on behalf of the Respondent in both the petitions, the court made the following order:-



[Order of the Court was made by *M.M.SUNDRESH, J.*]

After exhausting all the remedies, the parties have ultimately arrived at the settlement as could be seen by the proceedings of the Chief Planner, Administration, Chennai Metropolitan Development Authority, Egmore, Chennai dated 30.06.2021. However, there is still a dispute with respect to Rs.5.46 lakhs.

2. On a suggestion made by this Court, it is agreed by both the counsel that apart from the amount of Rs.50 lakhs and Rs.11,500/- deposited on 08.04.2020 and 17.08.2020 along with accrued interest, which can be permitted to be withdrawn by the respondent, a further sum of Rs.3 lakhs will have to be paid by the petitioner to the respondent within a period of two weeks from the date of receipt of a copy of this order. At the time of paying the said amount, the respondent shall take away all his belongings and hand over the possession to the petitioner.

3. Paragraph 9 of the affidavit filed before this Court with respect to withdrawal of the suit is also recorded.

4. The Registrar General, High Court, Madras shall take appropriate steps to transfer the amount deposited to the account of the respondent within a period of one week from the date of receipt of a copy of this order.

5. In view of the above, C.M.P.No.10883 of 2021 stands ordered. Consequently, C.M.P.No.19101 of 2019 stands closed.

-sd/-

05/08/2021

/ TRUE COPY /

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

TO

1 THE SUB ASSISTANT REGISTRAR,
ORIGINAL SIDE,
HIGH COURT MADRAS.

2 THE REGISTRAR GENERAL,
HIGH COURT MADRAS -104.



3 THE SECTION OFFICER,
ACCOUNTS SECTION,
HIGH COURT MADRAS.

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Order

in
CMP No.10883 of 2021

and 19101 of 2019

IN OSA.247 of 2015

Date :05/08/2021

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