

A.No.2871 of 2021 in
C.S.No.229 of 2020

V.PARTHIBAN,J.

This application has been filed to direct the Registrar General to endorse and handover the two fixed deposit receipts bearing No.39786116911 dated 06.11.2020 for Rs.1,52,99,534/- and Fixed deposit No.40204817490 dated 02.06.2021 for Rs.4,61,14,922/- both drawn at State Bank of India, SME Branch, Ambattur Industrial Estate, Chennai 600 058 with accrued interest in favour of the applicant/plaintiff in the above suit.

2. The learned counsel for the applicant/plaintiff submitted that the plaintiff being a Society, registered under the Societies Registration Act, 1860, has approached this Court to sell the schedule mentioned property for the purpose of which it was established. In this regard, paper publication was effected in Tamil and English daily. The schedule mentioned property was ultimately sold to one Jones Foundation Private Limited and the sale proceeds to the tune of Rs.15,00,00,000/- which has been deposited in the fixed deposit in the name of the Registrar General, High Court of Madras against the Suit No.229 of 2020.

3. The learned counsel for the applicant/plaintiff also submitted that this Court has passed an order dated 27.04.2021 in A.No.1877 of 2021

for the payment out of Rs.9,00,00,000/-. Paragraph No.4 of the order passed by this Court is extracted hereunder:

“4. In view of the averments contained in the affidavit filed in support of this application, there shall be a direction to the Registry of Madras High Court to make payment of Rs.9,00,00,000/- in the name of the applicant/plaintiff from the fixed deposit No.40014942041, dated 17.02.2021, drawn at State Bank of India, SME Branch, Ambattur Industrial Estate, Chennai 600 058, within a period of two weeks from the date of receipt of a copy of this order.”

4. In the above circumstances, the present application has been filed for payment of remaining amount of Rs.6,00,00,000/-, with accrued interest, lying in the fixed deposit in the name of the Registrar General, High Court of Madras against the Suit No.229 of 2020.

5. In view of the averments contained in the affidavit filed in support of this application, there shall be a direction to the Registry of Madras High Court to make payment of Rs.1,52,99,534/- in the name of the applicant/plaintiff from the Fixed Deposit No.39786116911 dated 06.11.2020 and Rs.4,61,14,922/- in the name of the applicant/plaintiff from

the Fixed Deposit No.40204817490 dated 02.06.2021, drawn at State Bank of India, SME Branch, Ambattur Industrial Estate, Chennai 600 058, within a period of three weeks from the date of receipt of a copy of this order.

6. Accordingly, this application is ordered as prayed for.

23.08.2021

gsk



WEB COPY

A.No.2871 of 2021 in
C.S.No.229 of 2020

V.PARTHIBAN,J.

gsk



A.No.2871 of 2021
in C.S.No.229 of 2020

WEB COPY

23.08.2021