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IN THE HIGH COURT OF JUDICATURE AT MADRAS

FRIDAY, THE EIGHTH DAY OF APRIL,
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE Mrs.JUSTICE S.KANNAMMAL

Appeal Suit No.166 of 2013

Prakash Kumar

...Appellant/Plaintiff

-vs-

1.Rajesh Krishnan

2.M/s.Visalam Builders,
represented by its Managing Director,
Smt.Prabhavathy
No.32, Pillaiyar Koil Street,
Triplicane,
Chennai - 5.

...1st&2nd Respondents/Defendants

3.A.K.Abdul Rahman

(R-3 impleaded as Proposal Respondent
vide order dated 03.01.2020 made in
CMP.No.6244 of 2016 is AS.No.166 of 2013)

...3rd Respondent/Proposed Respondent

Prayer: Appeal suit filed under Section 96 of CPC read with order XL1 Rule 1 of CPC against the judgment and decree made in O.S.No.7492 of 2010 dated 28.08.2012, on the file of the Court of the XVII Additional District & Sessions Judge, Chennai.

Decree: These Appeal Suit coming on Thursday, the tenth day of March two thousand twenty two, upon perusing the grounds of Appeal, the Judgment and Decree of the Trial Court/Court of first instance and the material papers in the case and upon hearing the arguments of Mr.V.Manohar, Advocate for the Appellant and of Mr.S.B.Viswanathan, Advocate for the first and second Respondents and of Mr.T.Velumani, Advocate for the third Respondent and having stood over for consideration til this day, While this court allowing the Appeal Suit, doth order and decree as follows:-

1. That the Judgment and Decree of the Court of the XVII Additional District and Sessions Judge, Chennai, dated 28.08.2012, made in O.S.No.7492 of 2010 be and hereby is set aside and the Original Suit stands Allowed.



2. That the Respondents herein/Defendants do execute a sale deed in favour of the Appellant herein/Plaintiff as per the terms of Agreement of Sale and Memorandum of understanding within a period of six months.

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3. That there be no costs in this Appeal Suit.

-s/d-
Assistant Registrar

//True Copy//

Sub-Assistant Registrar

dixit

To

1. XVII Additional District & Sessions Judge,
Chennai.
2. The Section Officer,
Vernacular Records,
High Court,
Madras - 104.

+1cc to Mr.S.B.Viswanathan, Advocate, SR.No.24512

+1cc to Mr.V.Manohar, Advocate, SR.No.24639

Order Date: 08/04/2022

Decree:

A.S.No.166 of 2013

Allowing the Appeal Suit preferred against the Judgment and decree of the court of the XVII Additional District and Sessions Judge, Chennai, dated 28.08.2012 made in O.S.No.7492 of 2010 etc., as stated therein.

SSD(CO)
RN(26/05/2022)