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A.Nos.1617 & 1618 of 2022
C.S.No.564 of 2013

A.Nos.1617 & 1618 of 2022
in
C.S.No.564 of 2013

G. CHANDRASEKHARAN, J.

A.No.1617 of 2022 is filed to direct the 1st respondent/1st defendant to deposit a future monthly rents from March 2022, collected from tenants before this Court and A.No.1618 of 2022 is filed to direct the first respondent/first defendant to deposit a sum of Rs.51,90,000/- paid as a lump sum lease amount collected by him from the tenants before this Court.

2.When the matter is taken up, the learned counsel for the petitioner submitted that the suit is ready for trial and therefore, she is not pressing these applications and petitioner may be given liberty to agitate all the issues raised in these applications in the trial.

3.The learned counsel for the respondent is also present and heard. It appears that there are dispute with regard to the facts alleged in the affidavit and counter affidavit. This is a suit for partition. The suit property was jointly purchased by plaintiffs and defendants and each are entitled for 1/4th share in the suit property. In view of the fact that the suit is ready for trial, this Court is of the considered view that all the issues raised in these applications and counter



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affidavit can be raised at the time of recording evidence. After recording of evidence completed, these issues would be decided in the final trial. Therefore, these applications are dismissed as not pressed.

15.09.2022

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