

**C.M.A.No.1350 of 2022****V.M.VELUMANI, J.****and****S.SOUNTHAR, J.**

This case is posted today under the caption 'for reporting compliance'.

2.Both the parties appeared before this Court today along with their respective counsel.

3.When the matter is taken up for hearing, the learned counsel appearing for the appellant submitted that a Demand Draft bearing No.019685 dated 17.08.2022, for a sum of Rs.50,00,000/- (Rupees Fifty Lakhs Only) drawn on HDFC Bank in the name of the respondent is ready with the appellant and he will hand over the Demand Draft to the respondent. He further submitted that at the time of receiving the Demand Draft, the respondent has to vacate and hand over the vacant possession of the Villa with key situated at Casagrandavalon, Villa 33, Vardha Nagar, Nesamani Road, Perumbakkam, Chennai – 600 100 along with the furnitures and other house hold articles therein to the appellant as per the terms of Joint Memo of Compromise dated 26.07.2022.

4.The learned counsel appearing for the appellant also prayed for appointment of Advocate Commissioner and submitted that he will go to the said



house tomorrow along with the Advocate Commissioner at 10.00 A.M. and hand over the Demand Draft to the respondent and receive the vacant possession of the villa with key along with the furnitures and other house hold articles. The learned counsel appearing for the appellant further submitted that the appellant will pay the remuneration for the Advocate Commissioner.

5.Heard the learned counsel appearing for the appellant as well as the learned counsel appearing for the respondent.

6.In view of the above submissions made by the learned counsel appearing for the appellant, **Mr.K.J.Sivakumar, B.A., B.L., [Enrl.No.1198/2007], New.No.334, Old.No.167/1, F7, 1st Floor, Manuel Mansion, Thambu Chetty Street, Chennai – 600 001, Mobile No. 94444 59473** is appointed as Advocate Commissioner.

7.The Advocate Commissioner is directed to visit the property situated at Casagrandavalon, Villa 33, Vardha Nagar, Nesamani Road, Perumbakkam, Chennai – 600 100 on 23.08.2022 at 10.00 A.M. The appellant is directed to hand over the Demand Draft bearing No.019685 dated 17.08.2022, for a sum of Rs.50,00,000/- (Rupees Fifty Lakhs Only) drawn on HDFC Bank in the name of the respondent to the Advocate Commissioner. The respondent is directed to hand



over the vacant possession of the villa with key along with the furnitures and other house hold articles to the Advocate Commissioner. The appellant is directed to verify whether the vacant possession of the villa is handed over by the respondent along with the furnitures and other house hold articles as mentioned in the Joint Memo of Compromise dated 26.07.2022. On verification, the Advocate Commissioner is directed to hand over the Demand Draft to the respondent and the key of the villa to the appellant.

8.The Advocate Commissioner is to be supported by both the learned counsel, without causing any problem.

9.The remuneration payable to the Advocate Commissioner is fixed as Rs.30,000/- (Rupees Thirty Thousand only) payable by the appellant.

10.Post the matter under the caption 'for reporting compliance' on 24.08.2022.

(V.M.V., J) (S.S., J)

22.08.2022

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NOTE: Issue order copy today.



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V.M.VELUMANI, J.
and
S.SOUNTHAR, J.

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22.08.2022