



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS
THURSDAY THE TWENTY FOURTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

Appeal Suit No.870 of 2014

T.Palanisamy

..Appellant/Plaintiff

/versus/

M.Varadarajan

..Respondent/Defendant

Prayer: Appeal against the judgment and decree of the III Additional District and Sessions Judge, Coimbatore passed in O.S.No.587 of 2011 dated 16/07/2014.

Decree : This Appeal coming on for hearing on for hearing on Tuesday, Twenty Second Day of February, Two Thousand and Twenty Two, upon perusing the grounds of Appeal, the judgment and decree passed by III Additional District and Sessions Judge, Coimbatore passed in O.S.No.587 of 2011 dated 16/07/2014 and upon hearing the arguments of Mr.N.Prakash for Mr.S.Namasivayam, Advocate for the Appellant and of K.Govi Ganesan, Advocate for the Respondent and having stood over for consideration till this day, this Court observing that the appellant is not entitled to the relief of specific performance, allowing this appeal in part doth order and decree as follows:

1) that the Appellant herein/Plaintiff, be and hereby is entitled for refund of money advance (i.e.) Rs.2,00,000/- (Rupees Two Lakhs only) without any interest, within a period of two months from the date of this judgment.

2) that any delay in payment beyond two months, the above said amount shall carry on interest of 12% p.a.

3) that there be no order as to costs in this Appeal.

Sd/-

Assistant Registrar (CS-CCC)

//True copy//

Sub Assistant Registrar



To:

III Additional District and Sessions Judge, Coimbatore.

Copy To

The Section Officer,
VR Section, High Court, Madras.

+1cc to Mr.K.Govi Ganesan, Advocate SR.No.12504

+1cc to Mr.S.Namasivayam, Advocate SR.No.12997

DATED : 24/02/2022

DECREE :

A.S.No.870 f 2014

Partly allowing the Appeal
Suit preferred against the
judgment and decree dated
16/07/2014 made in O.S.No.587 of
2011 on the file of III Additional
District and Sessions Judge,
Coimbatore etc., as stated therein.

AR II(CO)
GMY(31/05/2022)