



A.No.3837 of 2022
in C.S.No.12 of 2014

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N.SESHASAYEE, J.

The suit is laid for recovery of a sum of Rs.3.50 crores with interest at 24% p.a.

It was laid by father and son. During the pendency of the suit, father, the 1st plaintiff had passed away and that secured a dispute for partitioning the property within the family of the 1st plaintiff and it ultimately culminated in the institution of C.S.No.314 of 2019 for partition. That suit ended in a compromise and it is stated that the present applicant, one of the sons of the 1st plaintiff was granted the benefit to collect all the benefits of all agreements entered into by the father.

2.Learned counsel for the 2nd plaintiff informs the Court that so far as the suit claim is concerned, part of the amount has been paid by the 2nd plaintiff and hence the applicant is not entitled to the entire debt it is sought to be recovered from the defendant.

3.Dr.C.Ravikumar, the learned counsel appearing for the defendants 1 and 2 submitted that in lieu of the payment of the debt, these defendants have decided to part with their immovable property and this arrangement / agreement was



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arrived even when the 1st plaintiff was alive, that pursuant to the same, the title documents of the property proposed to be conveyed in lieu of the debt due to the 2nd plaintiff were handed over by the defendants and the same has to be formalised.

4. Subject to the intersect dispute between the applicant and the 2nd plaintiff, this application is allowed. The plaintiff / applicant who is now impleaded as a third plaintiff is required to carry out necessary amendment to the plaint.

22.12.2022

(1/2)

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