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A.No.861 of 2023
in C.S (COMM DIV) No.28 of 2023

S.SOUNTHAR, J.

This application has been filed seeking a direction to the respondents/defendants to furnish security for the suit amount.

2. The applicant herein filed a suit for recovery of a sum of Rs.1,77,00,000/- (Rupees One Crore and Seventy Seven Lakhs only) together with interest. Pending the suit, the applicant has come up with this application, seeking a direction to furnish security and to order of attachment before the judgment of this Court.

3. In the affidavit filed in support of this application, it is averred by the applicants that the respondents herein handed over the original title deeds of the property mentioned in the Judge's summons.



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4. It is also averred by the applicant that the respondents/defendants had given the property mentioned in the Judge's summons as a security for money borrowed by the applicant.

5. It is also stated by the applicant that the respondents/defendants are attempting to encumber the property by entering into agreement for sale. If they are allowed encumber the properties pending the suit, it will lead to multiplicity of proceedings and the rights of the applicant will get defeated.

6. The 1st respondent filed a counter affidavit and undertook not to sell or in anyway deal with the properties described as item Nos 2 and 3 in the Judge's Summons.

7. The second respondent in her affidavit undertook not to sell or in anyway deal with the properties described as item No.1 in the Judge's Summons.



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8. In view of the undertaking given by the respondents 1 and 2 in their counter affidavits that they would not sell or in anyway dealing with the properties described as Item Nos.1 to 3 in Judge's Summons, no further orders are necessary in this application. The said undertaking of the respondents 1 and 2 are recorded and this application is disposed of by recording the said undertaking.

06.06.2023

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