



WEB COPY



A.S No. 221 of 2019

T.V.THAMILSELVI, J.

The matter is listed today under the caption “For Being Mentioned”.

2.It is brought to the notice of this Court that amount deposited by the plaintiff in suit has not been mentioned in the Judgment dated 04.10.2023. Hence, the registry is directed to incorporate the following the lines in Para. 13 of the order dated 04.10.2023.

13. Accordingly, this Appeal suit is allowed and the findings of the trial judge in O.S No. 8447 of 2010 is set aside, thereby the suit is dismissed in respect of specific performance and the 1st defendant is directed to refund the amount of Rs. 10,00,000/- with interest at the rate of 12% from the date of agreement till the date of decree and thereafter, 6% of interest till the date of realisation. Further, the first respondent/plaintiff is entitled to receive the deposited amount of Rs.5,00,000/- , which was deposited in the Court deposit on 31.12.2018. No costs.

3. Registry is directed to carry out the necessary correction in the Judgment dated 04.10.2023 and issue a fresh copy of the order to the parties.

31.01.2024

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Note: Issue order copy on 01.02.2024.