



C.M.P.No.20697 of 2024
in Rev.Appl.No.193 of 2023

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S.S. SUNDAR, J.
and
D. BHARATHA CHAKRAVARTHY, J.

[Order of the Court was made by **S.S. SUNDAR, J.**]

This Court, in the Review Application filed by the 1st defendant in the suit for specific performance, passed the following order :

“6.In light of that, the review petition stands partly allowed. The order in O.S.A.No.212 of 2017 dated 03.02.2022 is modified as under:

- (i) the third respondent in the appeal (S. Velladurai) shall refund to the plaintiffs the total sum of Rs.43,91,995/- (Rs.40,00,000/- + Rs.2,12,000/- + Rs.1,79,995/-) with interest at the rate of 9% per annum from the dates on which the respective amounts were paid till the date of payment;*
- (ii) the third respondent in the appeal (S. Velladurai) shall deposit the aforesaid amount within a period of six weeks from today;*
- (iii) Upon the said deposit by the third respondent in the appeal (S. Velladurai) into the Court, within a period of two weeks therefrom, the plaintiffs shall*



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execute re-conveyance deed before the appropriate Sub-Registrar, re-conveying 675 sq.ft. undivided share, conveyed to them vide Ex.P.10, Sale deed dated 30.08.2010, morefully described as Schedule-B property to and in favour of the third respondent in the appeal (S. Velladurai) or his nominee;

(iv) The third respondent in the appeal (S. Velladurai) shall bear the stamp duty and registration charges of the said re-conveyance deed;

(v) Upon execution of such re-conveyance deed, the plaintiffs shall be forthwith entitled to withdraw the amount deposited by the third respondent in the appeal (S. Velladurai) into the Court with accrued interest, if any.”

2.Now, it is admitted that the money as directed by this Court has been deposited by the 3rd respondent in the Appeal. Therefore, in tune with the order, the money should go to the petitioners herein and hence, the petitioners have filed the present application to withdraw the sum of Rs.97,56,500/- deposited in the Registry of this Court by the 3rd respondent in the Appeal/2nd respondent herein pursuant to the directions of this Court dated 08.02.2024. Learned counsel appearing for the 1st



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respondent herein also has no objection for allowing this petition.

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3.Hence, this petition is ordered. The amount shall be transferred to the Bank account of each petitioner as per the particulars with regard to quantum and the Bank Account Number of the three petitioners, shown in the petition.

(S.S.S.R., J.) (D.B.C., J.)
22.11.2024

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