



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **03-04-2025**

CORAM

WEB COPY THE HONOURABLE MRS JUSTICE V.BHAVANI SUBBAROYAN

CMP No. 22518 of 2024

in

CRP No.2287 of 2023

A.Krishnaswamy
S/o. N. Aruchamy Gounder, Door No.3,
Saamiyan Thottam, Udayampalayam,
Coimbatore 641 006 and 3 Others

Appellant(s)

Vs

Scott Villas Residents Welfare Associations
Represented by its secretary MR.D.Ananda Kumar,
Res at No. B-30,31 Scott Vilals Chinnavedampatti,
Behind Ramani Mayuri, Coimbatore-641 049 and 2
Others

Respondent(s)

For Petitioner(s):

Mr.K.Venkateswaran

For Respondents(s):

Mr.R.Sachithanandan
for R1

ORDER

Today, the matter is posted under the caption, 'for modification'.

2. On 06.07.2023, when this court passed the final order, it was not brought to the notice of this Court by the learned counsel for the petitioner that a supplementary agreement dated 02.12.2018 was executed between the owners



viz., Krishnaswamy, Somasundaram, Shanmugasundaram and Sivamani and the developer, viz., the Whitehouse Residencies India Pvt. Ltd., a company

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registered under the Companies Act and represented by its Managing Director, D.Ramachandra Prabhu, wherein, certain items of properties were allotted to the owners, were exchanged to the developer and the plots, which were allotted to the developer, were exchanged to the owners. In furtherance of which, the owners were allotted with 2 items of Schedule C property viz., Plot No.21, to an extent of 2091 sq ft, and Plot No.22, to an extent of 2078 sq. ft, and they are in possession of the same. Therefore, the learned counsel seeks to incorporate the above mentioned two plots in the order.

2. Accepting the request made by the learned counsel for the petitioner, Site 21 and Plot No.22, which have been handed over to the owner/petitioners is directed to be incorporated in the order and the order is modified to this extent.

3. Learned counsel for the purchaser of the flat would submit that handing over of the above mentioned plots should have been brought to the knowledge of this Court at the earliest point of time. However, the same is objected to by the learned counsel for the first respondent.



4. This being an exchange between the land owners and the developer, the Court has nothing to do with that.

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5. The second respondent did not appear in the CRP itself. Hence, no prejudice will be caused, if notice is not sent to them.

6. Registry is directed to make necessary modification in the order and issue fresh order copy to the parties.

03-04-2025

mrn

To
The Sub Registrar
Gandhipuram Sub Registrar Office,
Kalapatti Road, Saravanmpatti,
Coimbatore 641 035.