



WEB COPY

A No. 5834 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-01-2026

CORAM

THE HONOURABLE DR.JUSTICE R.N.MANJULA

A No. 5834 of 2025

in

CS NO. 760 OF 2012

C.Thulasi And 3 Others
House No.1, Meridian Block, No.97,
Perumbur, Red Hills Leksmipuram,
Kolathur, Chennai 91

Applicant(s)

Vs

J.S.Durga Devi And 5 Others
No.63, Gajalekshmi St, Lakshmi Nagar,
Near Mudhichur Tambaram, Chennai

Respondent(s)

For Applicant(s): M/s. P.T.Perumal
For Respondent(s): Mr. N. Suresh for R6

ORDER

This application has been filed to direct the 5th respondent / 3rd defendant to deposit the applicants' 4/8th or 50% of the share of the rents / income derived from the plaint schedule properties to the credit of the suit in C.S.No.760 of 2012 pending disposal of the suit.

2. The learned counsel for the 3rd defendant submitted that a similar order passed on an application filed by the plaintiffs, directing the 3rd defendant to deposit plaintiffs' 1/3rd share, has already been challenged by preferring O.S.A.No.257 of 2025.



3. Even though O.S.A.No.257 of 2025 is pending, the Hon'ble Division Bench has passed an order dated 04.09.2025, observing that the recording of evidence shall go on in respect of the pending OSA.

4. Since a similar order has already been challenged and the OSA is yet to be disposed of, passing any similar order as sought in this application would also invite the filing of another OSA against the same. Hence, the applicant is at liberty to file the application after disposal of the O.S.A. No. 257 of 2025 and the parties shall cooperate for early completion of recording of evidence as ordered already.

5. Accordingly, this application is closed for the present.

6. The records be sent back to the Master's Court for further recording of evidence. The parties shall appear before the AM-IV for recording of further evidence on 02.02.2026.

22-01-2026

AT

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No



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Dr. R.N.MANJULA, J.

AT

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