

In the Court of the District Judge, District Court No.II, Kancheepuram.

OS.No.49/2015

Arumugam

..... Plaintiff.

/Vs/

1. G. Jagannathan and 8 others

.... Defendants.

Memo of Valuation

1.	Nature of Suit	Suit for Specific performance of contract suit for partition and separate possession
2.	Section and Sub Section of the Act	Sec. 42(a) and 37(2) of TNCF & SV Act.
3.	Annual Revenue or Rent Payable	---
4.	Market value of suit property 1) Sale consideration 2) Value as per the Sale agreement	Rs. 24,50,000/- Rs. 24,50,000/-
5	CF paid u/s 42(a) and 37(2) of TNCF Act	Rs.1,83,750.50 p/- + Rs. 750/- = Total Rs. 1,84,500.50p

Sd/- xxxxxx
Advocate for Plaintiff

Sd/- xxxxxxxxx
Plaintiffs

/True Copy /By Order/
xxxxxxxxxxxxx

Sheristadar,
District Court No.II,
Kancheepuram.

In the Court of the District and Sessions Judge, District and Sessions Court
No.II, Kancheepuram.

Present: J. CHANDRAN,
District and Sessions Judge,
District and Sessions Court No.II,
Kanchipuram.

This Wednesday the 15th day of September 2021

O.S.No. 49/2015

A. Arumugam, aged 75 years,
S/o. Muthuramalingam Pillai,
Navarathna Gardens,
2nd Main Road, Ekkattuthangal, Chennai-97.

---- Plaintiff.

-Vs-

1. G. Jagannathan, aged 67 years,
S/o. Late. Govindasamy,
2. G. Palani, aged 66 years,
S/o. Late. Govindasamy,
3. G. Radhakrishnan, aged 59 years,
S/o. Late. Govindasamy,
4. G. Ranganathan, aged 51 years,
S/o. Late. Govindasamy,
5. G. Velayudham, S/o. Late. Govindasamy,
6. G. Prabakaran, aged 47 years,
S/o. Late. Govindasamy,
7. V. Ravi, aged 51 years,
S/o. G. Velayudham,
8. Tamilarasi, aged 48 years,
S/o. G. Velayudham,
9. M. Ambiga, aged 52 years,
D/o. Late. Govindasamy,

All are residing at No. 8/1,
Saidai Sambandam Street,
West Mambalam, Chennai -33.

---- Defendants.

This suit is filed for specific performance of contract of sale against the defendant in favour of the plaintiff by directing the defendants to execute and register the sale deed in favour of the plaintiff regarding the schedule mentioned property after receiving balance of sale consideration of Rs. 19,50,000/- failing which the same may be done through the Hon'ble Court with partition and separate possession as per sec. 22 of the Specific Relief Act and in the alternative if Hon'ble Court so thinks that the plaintiff is not entitled to the specific performance relief, the defendant may be directed to return the advance amount of Rs. 5,00,000/- with interest at 12% from the date of payment till realization with a charge over the property and for costs.

Value of claim Rs.24,50,000/- and Court fee paid Rs.1,84,500.50p/- of u/s. 42(a) and 37(2) of TNCF & SV Act.

Date of first presentation of the plaint is on 16.04.2015.

The Cause of action for the suit arose on 07.11.2006, 13.03.2007, 26.06.2008 and 30.05.2014 at Manappakkam Village, Mangadu Firka, Sriperumbudur Taluk, Kanchipuram District with in the jurisdiction of this Hon'ble Court.

This suit has been coming on this day for hearing before me in the presence of M/s.L. Sowmiya Narayanan, M.Priya, Advocates for plaintiff and Mr. P. Rajamanickam, Advocate for 1, 3, 4, 6, 7 and 9th defendants , steps for D2 and D5 was not taken, plaintiff called absent, No representation and this court doth made a decree as follows:

1)	That the suit be and the same is hereby dismissed for default of the plaintiff.
2)	That there is no order as to costs.

SCHEDULE OF PROPERTY

In Kancheepuram District, In Sriperumbudur Taluk, In Mangadu Firka,
In Manappakkam Village in S.No. 408/1, the vacant site measuring 4200 sq.ft.

Schedule of Costs:

		Plaintiff's Cost (Rs.P.)	Defendants Cost (Rs.P.)
1	Stamp on Plaint	1.84,500.50	---
2	Stamp on power	10.00	10.00
3	Stamp on exhibits	---	---
4	Pleader's fees	---	---
	Total Costs Rs.	1,84,510.50	10.00

[Both side cost memo not filed, hence other costs are not taxed]

Given under my hand and the seal of the court, this the 15th day of September 2021.

Sd/- J. Chandran,
District and Sessions Judge,
District and Sessions Court No.II,
Kanchipuram.

DECREE

OS No.49//2015

Dated:15.09.2015

District Court No.II,

Kancheepuram.

In the Court of the District and Sessions Judge, District and Sessions Court
No.II, Kancheepuram.

Present: J. CHANDRAN,
District and Sessions Judge,
District and Sessions Court No.II,
Kanchipuram.

This Wednesday the 15th day of September 2021

O.S.No. 49/2015

A. Arumugam, aged 75 years, ----- Plaintiff.

-Vs-

1. G. Jagannathan, aged 67 years,
2. G. Palani, aged 66 years,
3. G. Radhakrishnan, aged 59 years,
4. G. Ranganathan, aged 51 years,
5. G. Velayudham, S/o. Late. Govindasamy,
6. G. Prabakaran, aged 47 years,
7. V. Ravi, aged 51 years,
8. Tamilarasi, aged 48 years,
9. M. Ambiga, aged 52 years,

----- Defendants.

This suit has been coming on this day for hearing before me in the presence of M/s. L. Sowmiya Narayanan, M.Priya, Advocates for plaintiff and Mr. P. Rajamanickam, Advocate for 1, 3, 4, 6, 7 and 9th defendants , steps for D2 and D5 was not taken, plaintiff called absent, No representation and this Court delivered the following:

JUDGMENT

This suit is filed for specific performance of contract of sale against the defendant in favour of the plaintiff by directing the defendants to execute and register the sale deed in favour of the plaintiff regarding the schedule mentioned property after receiving balance of sale consideration of Rs. 19,50,000/- failing which the same may be done through the Hon'ble Court with partition and separate possession as per sec. 22 of the Specific Relief Act and in the alternative if Hon'ble Court so thinks that the plaintiff is not entitled to the specific performance relief, the defendant may be directed to return the advance amount of Rs. 5,00,000/- with interest at 12% from the date of payment till realization with a charge over the property and for costs.

Steps for the deceased D2 and D5 was not taken for a long period of time. As such more than sufficient time given. Plaintiff called absent. No representation made on behalf of the plaintiff. The plaintiff has not shown any interest in prosecuting their own case. Hence this suit is dismissed for default of the plaintiff.

Written and pronounced by me in open court, on this the 15th day of September 2021.

Sd/- J. Chandran,
District and Sessions Judge,
District and Sessions Court No.II,
Kanchipuram.

Draft / Fair Judgment

OS No.49/2015

Dated: 15.09.2021

District Court No.II,

Kancheepuram.