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A No. 1512 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-11-2025

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THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

A No. 1512 of 2025

IN

EP No. 9 of 2021

1. Vinod Timothy

S/o.K.P.Thimothy

2.Sajeev Timothy

S/o.K.P.Thimothy,

Both are at “Kuttukarans”,

No.244, Third Main Road,

Defence Colony, Indira Nagar,

Bangalore 560 038

Appellant(s)

Vs

M/s Urban Tree Infrastructures Pvt Ltd

6th Floor, Good Shepherd Square,

No.86, Kodambakkam High Road,

Thirumurthy Nagar, Nungambakkam,

Chennai-600 034.

Respondent(s)

EP No. 9 of 2021

1. Vinod Timothy

S/o.K.P.Thimothy



2. Sajeew Timothy
S/o.K.P.Thimothy

Both are at Kuttukarans,
No.244, Third Main Road,
Defence Colony, Indira Nagar,
Bangalore 560 038

Petitioner(s)

Vs

M/s Urban Tree Infrastructues Pvt Ltd
6th Floor, Good Shepherd Square,
No.86, Kodambakkam High Road,
Thirumurthy Nagar, Nungambakkam,
Chennai-600 034.

Respondent(s)

PRAYER

To set aside the order dated 29.01.2025 passed in E.P.No.9 of 2021 by the Learned Master and restore the E.P.No.9 of 2021 on the file of this Hon'ble Court.

For Appellant(s): Mr.I.Abrar Md Abdullah

For Respondent(s): Mrs.Chitra Sampth
Senior Counsel for
M/s Ganesh and Ganesh

ORDER

Pursuant to the earlier order passed by this Court on 10.11.2025, the

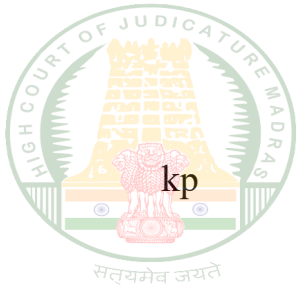


application was listed for hearing today. The respondent has filed an affidavit and the respondent has sought for payment of 50% out of the total sale consideration. Apart from that, the respondent is also claiming payment of Rs.1.75 crores, which was the advance amount paid by the respondent pursuant to the Compromise Award. Furthermore, the respondent is also claiming for the cost incurred.

2.The claimant is not willing for such a settlement and in fact the claimant is claiming for a total sum of Rs.17.04 Crores (approximately). In the light of the respective stand taken by the parties, there is no scope for settlement in this case. Hence, this Court is inclined to pass orders on merits.

3.Post this case under the same caption on 02.12.2025.

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N.ANAND VENKATESH J.

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