

S.A.No.335 of 2016**T.MATHIVANAN.J,**

Heard. This Second Appeal is admitted on the following substantial questions of law:

a. When the installment of Rs.11,000/- payable per month includes part principal and part interest, is the mortgagee entitled to claim additional interest at 21% or 24% on the interest portion of the installment?

b. When the contract is to pay interest at 21% per annum on the sum of Rs.5 lakhs and the said interest caption forms part of the installment due, is the defendant entitled to charge very same 21% interest on the interest caption in the installment payment?

c. Whether the interest component worked out by the lower Appellate Court is in accordance with Law?

d. Whether the defendant is entitled to claim any penal interest as per the terms of the Mortgage Deed?

e. Whether the Learned Appellate Judge right in arriving at the sum of Rs.25,44,517/- as the amount payable under the Mortgage when no particulars are furnished by the Court for arriving at that figure?

f. When there is no intimation of increase in the interest rate, is the defendant entitled to claim interest at 24%?

g. Whether the Lower Appellate Court legally right in directing the plaintiff to pay the deficit Court Fee for the decreed amount, especially when no counter claim was filed by the defendant?

Notice.

06.04.2016
(1/2)

nvi

C.M.P. Nos.6220 to 6221 of 2016
in
S.A.No.335 of 2016

T.MATHIVANAN.J,

Notice to the respondents returnable
by 10.06.2016.

There shall be an order of interim stay on deposit
of Rs.10 lakhs within a period of eight weeks.

There shall be an order of interim injunction for a
period of eight weeks.

Post the matter on 10.06.2016.

06.04.2016
(2/2)

nvi