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A.S.No.123 of 2024

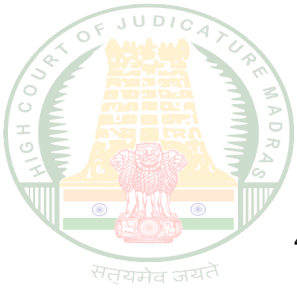
A.S.No.123 of 2024 and
C.M.P.No.4023 of 2024

SATHI KUMAR SUKUMARA KURUP, J,

The learned Counsel for the Appellant submits that the Petitioner herein is the Appellant in A.S.No.123 of 2024. The suit in O.S.No.92 of 2014 on the file of the learned District Judge, Vellore which was subsequently re-numbered as O.S.No.1 of 2015 on the file of the learned III Additional District Judge, Vellore, Tirupattur was the suit for specific performance.

2. It is the contention of the Defendant in the suit that the agreement for sale was not intended for sale of the property which was executed by the Defendant as security for the loan availed from the Plaintiff.

3. It is the contention of the learned Counsel for the Appellant that after due trial, the learned III Additional District Judge at Tirupattur by judgment dated 30.09.2019 dismissed the suit with a direction to the Defendant to return the advance amount to the Plaintiff.



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4. Aggrieved by the same, the Plaintiff had filed this Appeal seeking specific performance. Pending appeal, the Plaintiff as Appellant had filed C.M.P.No.4023 of 2024 Seeking injunction not to create encumbrance in the suit property. From the cause list, it is found that the Respondents had entered appearance but the learned Counsel had not filed vakalat.

5. Post the case on 12.08.2024, failing which orders will be passed.

05.08.2024

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