

1

ITEM NO.5

COURT NO.2

SECTION XII

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 10878-10879/2010 (Arising out of impugned final judgment and order dated 11/03/2010 in WA No.403/2008 11/03/2010 in WA No.403/2008 11/03/2010 in WA No. 404/2008 11/03/2010 in WA No. 404/2008 passed by the High Court Of Madras)

U. VENKATESH

Petitioner(s)

VERSUS

EXECUTIVE OFFICER & ORS.

Respondent(s)

(with interim relief and office report)

Date : 10/01/2017 These petitions were called on for hearing today.

CORAM :

HON&#39;BLE MR. JUSTICE DIPAK MISRA

HON&#39;BLE MRS. JUSTICE R. BANUMATHI

For Petitioner(s)

Mr. C.A. Sundaram, Sr. Adv.

Mr. R.Anand Padmanabhan, Adv.

Ms. Amritha Sarayoo, Adv.

Ms. Ananya Mukherjee, Adv.

Mr. Pramod Dayal, Adv.

For Respondent(s)

Mr. A.N.S. Nadkarni, ASG

Ms. Vimla Sinha, Adv.

Mr. N.K. Karhail, Adv.

Mr. S.S. Rebello, Adv.

Mr. Amogh V. Prabhu Desai, Adv.

Mr. M.K. Maroria, Adv.

Mr. Senthil Jagadeesan, Adv.

UPON hearing the counsel the Court made the following

O R D E R

This Court on 23.11.2016 has directed the petitioner to deposit Rs.6 crores (six crores) in four equal monthly installments and a stipulation was given that the first installment shall be made on or before 31.12.2016 with fourth respondent which has been done. Be it noted that direction was also issued to the Principal District Judge, Chennai, to nominate an Additional District Judge

2

of City Civil Court, Chennai who would get measurement done in the presence of authorized representative of both the parties after fixing a date so as to find out as to whether there is any encroachment and to submit a report to this Court within a month with a plan drawn on the scale. It is submitted by Mr.C.A.Sundaram, learned senior counsel that measurement has been taken on 23.12.2016. Learned senior counsel submits that as the first installment has been deposited the other installments, as per the direction of this Court have to be deposited. Regard being had to the earlier order of this Court, it is further directed that the remaining installment shall be deposited with the fourth respondent within two weeks from today.

In view of our direction dated 23.11.2016, amounts are to be deposited and further the matter shall also be taken up. Let the matter be listed on 28.03.2017.

After the report is received from the Principal District Judge, Chennai by the Registry a copy thereof shall be given to advocate on record on either side. If the amount in entirety is deposited learned counsel for the petitioner shall be at liberty to mention the matter for early hearing.

(Ashok Raj Singh)

(H.S. Parasher)

Court Master

Court Master