

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 (Civil) No(s).12845/2011

(From the judgement and order dated 18/03/2011 in CRP No.1898/2010 of The HIGH COURT OF MADRAS)

M/S SRI MANIKANDAN FINANCE BY MG PARTNER

Petitioner(s)

VERSUS

P. KANDASAMY & ANR.

Respondent(s)

(With appln(s) for permission to place addl. documents on record and prayer for interim relief and office report)

WITH SLP(C) NO. 13795 of 2011

(With prayer for interim relief and office report)

SLP(C) NO. 13800 of 2011

(With prayer for interim relief and office report)

SLP(C) NO. 13844 of 2011

(With prayer for interim relief and office report)

SLP(C) NO. 13845 of 2011

(With appln(s) for exemption from filing c/c of the impugned judgment and with prayer for interim relief and office report)

Date: 14/09/2012 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE H.L. DATTU

HON'BLE MR. JUSTICE CHANDRAMAULI KR. PRASAD

For Petitioner(s) Mr. S. Ravi Shankar, Adv.

For Respondent(s) Mr. Basav Prabhu Patil, Sr. Adv.
Ms. N. Shoba, Adv.
Mr. Sri Ram J. Thalapathy, Adv.

UPON hearing counsel the Court made the following

O R D E R

Dismissed. However, Mr. Basav Prabhu Patil, learned senior counsel, on instructions, would submit that his clients will not further alienate/encumber the properties mentioned below:

1. Salem R.D. Jalakandapuram Sub-Division Mettur Taluk, Soorapatti Village, R.S. 96/5 P.A. 1.31 Tax Rs.2.95. In this land No. Acre 0.70 cent and with 4 (four) boundaries details: South to r.Natesa Chettariarland, P. Venkatachalem land, P.Srinivasam land, East to J.N. Ganappathy land and Pandian D. Palaniappan land, East to Kandasamy Chetty land, North to Veeranna Chetty land, Thangappan alias Varichetty land and Vijayakamalam lands and 70 cents in the centre, the rights regarding the 10 feet cent path way through which Vehicles, cattles, path rights inclusive. Above said property as per VDR Patta. Resurvey No. 96/5D. Dry land hectare 0.14.5 (Acre 0.36) Tax 0.81. In this 0.27 cent only. Resurvey No. 96/5E. Dry land hectare 0.17.5 (Acre 0.43) Tax Rs.0.98. In this one third belongs to the 2nd respondent. The present market value is Rs.40,000.

2. Salem, R.D. Jalakandapuram Sub. Re. Dist, Soorapalli Village,

Resurvey 98/5. Dry Acre 1.78 Tax Rs.2.23 in this number in Jalakandapuram. Town Ward No.2, Kuppampathi Road Street, from the Kuppampathi in 10 feet Road and east to R.N. Palanisamy Chetti Vijaya kamalam, nanjandan, Vajravel, Ravi alias Manicka Vasagan, Verichetti lands North to R.N. Palanisamy Chetti, Vijayakamalam, Nanjundan, Vajravel, Ravi alias Manicka Vasagan and Veerichetti lands, West to the land purchased by Ramanathan from Mani. In the center on the North side East West length 119 ft, Southern side East West length 110 ft, East side North West length 67 ft, Westernside North West length 61 ft and in total 7328 sq.ft. House site property. In this rights regard to the 10 feet Road coming from Kuppampatti Road for using as path way for vehicles, cattles etc along with all easment rights also. As per the new UDR, Re. Survey No.98/5A, Dry. Hec. 0.07.0 Tax 0.27 in this one third of the property is owned by 2nd respondent and the value is Rs.50,000.

3. Salem, R.D. Jalakandapuram Sub. Rs. Mettur Taluk, Soorapalli Village, RE Survey 98/5, Dry, Acre 1.78 Tax Rs.2.83. in this number as per UDR. New re Survey 98/5B Dry. Hecrate 0.18.5 Tax. Rs.0.71. In this Ward No.1 of Jalakandapuram Town, East to Nangavalli main Road slum, East to Vijayakamalam and sons land South to the land purchased from Amirthalingam Chettiar by Mani and North to the 15 ft. road given by Nangavalli and in the center on east west length both sides 105 ft. and west side South West length 51-1/2 ft. and east side South West length 55 ft and 55 91-1/4 Sq. ft. area along with the usage rights of 15 ft. Common path way from Nangavalli Main Road and all easment rights inclusive. In this 2nd respondent owns 1/3 of the total area for which the market value is Rs.50,000.

(NAVEEN KUMAR)
COURT MASTER

(S.S.R. KRISHNA)
COURT MASTER