

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

CIVIL APPEAL NO. OF 2025
(Arising out of SLP (C) No. 15954 OF 2023)

E. SUSEELA (DIED) BY LRS

APPELLANT(S)

VERSUS

JANAKI AMMAL (DIED) BY LRS & ORS.

RESPONDENT(S)

O R D E R

- 1) Leave granted.
- 2) Arising out of the judgment dated 01.08.2022 passed by the High Court of Judicature at Madras in S.A. No. 1766 of 2002 reversing the concurring judgments of the trial Court and the first appellate Court in a suit for specific performance, the plaintiffs have filed the present appeal.
- 3) In the instant case, *vide* order dated 21.07.2023, notice was issued limited to refund the amount of consideration under the agreement to sell.
- 4) The defendant(s) has agreed to pay the said amount along with interest whatever is fixed by this Court. The said intention of the parties was recorded in the proceedings dated 17.02.2025.

5) After hearing learned counsel for the parties and looking to the fact that the agreement was entered into on 06.06.1983 and in furtherance to the said agreement, a sum of Rs.29,500/- was paid by the plaintiff to the defendant. As conceded by the defendant(s)/respondent(s) the said amount be paid along with 12% Simple Interest from the date of payment under the agreement as referred, till the date of actual repayment. With the said modification in the impugned judgment, the present appeal stands disposed of. The decree be drawn in above terms.

6) As assured by the respondent(s), the said amount shall be paid by them within a period of three months along with interest, otherwise the plaintiff(s) shall be at liberty to take recourse before the Executing Court to get the decree executed.

7) In furtherance to the judgment of the trial Court as well as the first appellate Court, since appellants deposited a sum of Rs.60,325/- in the Court of Principal District Judge, Vellore, in A.S. No. 27 of 1999, the same be permitted to be withdrawn by plaintiffs/appellants along with interest.

8) In view of the above, the appeal stands disposed of.

Pending application(s), if any, shall also stand disposed of.

....., J.
[J.K. MAHESHWARI]

....., J.
[ARAVIND KUMAR]

New Delhi;
March 17, 2025.

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. 15954/2023
[Arising out of impugned final judgment and order dated 01-08-2022
in SA No. 1766/2002 passed by the High Court of Judicature at
Madras]

E. SUSEELA (DIED) BY LRS

Petitioner(s)

VERSUS

JANAKI AMMAL (DIED) BY LRS & ORS.

Respondent(s)

**(IA No.98128/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT and IA No.98129/2023-EXEMPTION FROM FILING O.T.)**

Date : 17-03-2025 This petition was called on for hearing today.

**CORAM : HON'BLE MR. JUSTICE J.K. MAHESHWARI
HON'BLE MR. JUSTICE ARAVIND KUMAR**

**For Petitioner(s) : Col. R. Balasubramaniam, Sr. Adv.
Mr. Theepa Murugesan, Adv.
Ms. Sanya Bhatia, Adv.
Mr. Gaurav Singh, AOR
Ms. Sanya Minhas, Adv.**

**For Respondent(s) : Mr. Siddharth Naidu, Adv.
Mr. V Balachandran, Adv.
Mr. Saurab Bharadwaj, Adv.
M/s. KSN & Co., AOR**

**UPON hearing the counsel the Court made the following
O R D E R**

- 1) Leave granted.
- 2) The appeal stands disposed of in terms of the signed order. Pending application(s), if any, shall also stand disposed of.

(NIDHI AHUJA)
AR-cum-PS

(NAND KISHOR)
ASSISTANT REGISTRAR(NSH)

[Signed order is placed on the file.]