

12-5-10
R.O.C.No.2185-A/2010/F1

5/2/10
4/3/10
P.Dis.No. 64/2010

CIRCULAR

Sub: Hon'ble High Court – Orders in M.P.1/2010 in A.S.No.991/2009
– Suit for specific performance – Direction issued to Trial Courts /
all Civil Courts – Circular issued – Reg.

Ref: Orders of Hon'ble Division Bench in M.P.No.1/2010 in
A.S.No.991/2009 dated 21.04.2010.

It has been brought to the notice of High Court, Madras that in a number of suits for specific performance, the amount deposited by the plaintiffs, either before the trial of the suit or after passing of the Decree to the credit of respective suits, are being kept only in the Civil Court Deposits (CCD Account) and the Trial Courts are not investing those suitors' amounts in Nationalised Banks for a profitable return.

A Hon'ble Division Bench of this High Court, comprising of Hon'ble Tmt.Justice R.Banumathi and Hon'ble Thiru Justice M.Venugopal, while hearing the case under reference cited, have observed that in the suits for specific performance, if the amounts deposited by the plaintiffs, either before the trial of the case or after the Decree(pending Appeal), are deposited in the Nationalised Banks, it would fetch a fair and reasonable rate of interest, which would enure to the benefit of the party concerned.

Accordingly, all the Principal District Judges / District Judges in the Districts, the Principal Judge, City Civil Court, Chennai, the Chief Judge, Court of Small Causes, Chennai and the Chief Judge, Puducherry, are hereby directed that they shall ensure that the amounts deposited by the plaintiffs in suits for specific performance in the trial courts / all the Civil Courts, (either before the trial or

subsequent to the Decree (pending appeal), are duly deposited in the Nationalised Banks, instead of the keeping the suitor's amount in Civil Court Deposits(CCD Account).

The aforesaid directions are to be observed scrupulously and any deviation therefrom, will be viewed seriously.

The receipt of the Circular is required to be acknowledged, at once.

HIGH COURT, MADRAS
DATED: 12.05.2010

Sd/- S. Vimala
REGISTRAR GENERAL

// True Copy/Forwarded/By Order //

DEPUTY REGISTRAR (COMPUTERS)

To

1. All the Principal District Judges / District Judges
 2. The Principal Judge, City Civil Court, Chennai-104.
 3. The Chief Judge, Court of Small Causes, Chennai-104.
 4. The Chief Judge, Puducherry.
- }} with direction to bring
}} the contents of this
}} Circular to the notice
}} of the all Civil
}} Judges (Senior
}} / Junior Division)
}} under their unit.

Copy to

1. The Registrar (Judicial), Madurai Bench of Madras High Court, Madurai.
2. The Section Officer, "B5" Section, High Court, Chennai-104.
3. The Record Keeper, "A1" Record, High Court, Chennai-104.