

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.519 OF 2017

(Arising out of S.L.P. (C) No.15595 of 2010)

S.G. Shoanraj (Died) by Lrs.

Appellant(s)

Versus

Vijayalakshmi and Others

Respondent(s)

O R D E R

Leave granted.

Heard Mr. K.K. Mani, learned counsel for the appellant and Ms. Pratiksha Mishra, learned counsel for the respondent No.3, who is appearing for the subsequent purchaser of the property.

Though many a ground has been urged by Mr. Mani, learned counsel for the appellant challenging the judgment of the High Court, yet we are only inclined to enhance the rate of interest that has been granted by the High Court. Be it noted, the High Court has directed for payment of interest at the rate of 12% from 5<sup>th</sup> September, 1983, till the date of payment. That apart, the High Court has also taken note of the fact that the principal sum of Rs.11,000/- was deposited before the High Court and that was to be withdrawn by the plaintiff.

Regard being had to the facts and circumstances of the case, we are inclined to enhance the rate of interest from 12% to 16%. The amount after due computation shall be

paid by the subsequent purchasers. The other directions passed by the High Court shall remain undisturbed.

With the aforesaid modification in the judgment passed by the High Court, the appeal stands disposed of. There shall be no order as to costs.

.....J.  
(Dipak Misra)

.....J.  
(R. Banumathi)

New Delhi;  
January 13, 2017.

ITEM NO.38

COURT NO.2

SECTION XII

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

Petition(s) for Special Leave to Appeal (C) No.15595/2010

(Arising out of impugned final judgment and order dated 30/11/2009 in AS No. 1161/1993 30/11/2009 in AS No.1161/1993 passed by the High Court of Madras)

S.G.SOHANRAJ (D) BY LRS.

Petitioner(s)

VERSUS

VIJAYALAKSHMI & ORS.

Respondent(s)

(With interim relief and office report)

Date : 13/01/2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DIPAK MISRA  
HON'BLE MRS. JUSTICE R. BANUMATHI

For Petitioner(s) Mr. K. K. Mani, AOR  
Ms. T. Archana, Adv.  
Mr. Mayur R. Shah, Adv.

For Respondent(s) Ms. Pratiksha Mishra, Adv.  
Mr. Balaji Srinivasan, AOR  
Ms. Vaishnavi Subrahmanyam, Adv.  
Ms. Srishti Govil, Adv.  
Mr. Abhishek Bharti, Adv.

Mr. Abhay Kumar, AOR

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

Leave granted.

The appeal is disposed of in terms of the signed order.

(Chetan Kumar)  
Court Master

(H.S. Parasher)  
Court Master

(Signed order is placed on the file)