

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :19.06.2015

CORAM

THE HONOURABLE MRS. JUSTICE S.VIMALA

C.S.No.268 of 2008

Mr.Sushil Kumar Kedia

... Plaintiff

Vs.

1.M/s.Jain Housing

A Unit of Jain Housing & Constructions Ltd.

No.11, Somasundaram Street,

T.Nagar, Chennai-600 017.

Rep. By its Customer Care Officer

2.M/s.Jain Housing & Constructions Ltd.

Rep. By its Managing Director

No.11, Somasundaram Street,

T.Nagar, Chennai-600 017

...

Defendants

PRAYER: Plaint under Order VII Rule 1 CPC r/w IV Rule 1 of O.S.Rules
praying for a decree and Judgment:

(a) Directing the defendants to convey the suit schedule flats viz. Flat No.D4 and E4, Block No.3, in the fourth floor, together with two covered car parking space and respective undivided share of land or any other two flats having similar locational advantage in the defendants' residential project viz. "Jains Sunderbans" to the plaintiff for the agreed sale consideration of Rs.29,72,547.50 (Rupees Twenty nine Lakhs seventy two thousand five

hundred and forty seven and paise fifty only) i.e.Rs.13,39,257.50 (Rupees Thirteen Lakhs thirty nine thousand two hundred and fifty seven and Rs.fifty) for Flat No.D4 and Rs.16,33,290/- (Rupees Sixteen Lakhs thirty three thousand two hundred and ninety only) for Flat No.E4 as per the written contract dated 19.07.2004 and in default directing execution of sale deed and other documents.

For Plaintiffs : Mr.Sushil Kumar Kadia
(party in person)
For Defendants : Mr.V.Kuberan

JUDGMENT

Today, when the matter is taken up for hearing, the plaintiff party-in-person appeared before this Court and sought for immediate withdrawal of the suit, stating that the matter has been settled out of Court.

2.The learned counsel for the defendants also submitted that the matter has been settled out of Court and the plaintiff has received the entire money from the defendants and therefore plaintiff wanted to

withdraw the suit.

3. In view of the submissions made by the learned counsel for the defendant and also in view of the endorsement made by the plaintiff, the suit is dismissed as withdrawn and half of the Court fee is ordered to be refunded. No costs.

08.06.2015

arr

S.VIMALA, J

arr

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19.06.2015

