

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 24.11.2016

CORAM

**THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR**

C.S.No.982 of 2000

Mani and Money Limited,  
Rep. by its Director .. Plaintiff

Versus

Balaji Industrial Corporation Ltd. .. Defendant

For Plaintiff : Mr.Srinath Sridevan  
For Defendants : Mr.Kuberan

The plaint is filed and numbered as Civil Suit under order IV Rule 1 of OS Rules r/w Order VII Rule 1 of CPC, praying for a judgment and decree:

(a) directing the defendant to pay to the plaintiff a sum of Rs.47,43,473/- together with interest at the rate of 26% on the sum of Rs.33,00,000/- and interest tax from this date till the date of realisation.

(b) direct the defendant to bear the costs of the suit.

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**JUDGMENT**

Today, when the matter is taken up for hearing, the learned counsel for the plaintiff has stated that he

is interested in prosecution of the suit and seeks

permission of this Court to withdraw the suit with refund of 50% of court fee and he has also made the following endorsement.

*"The plaintiff does not desire to pursue the proceedings. Accordingly, the plaintiff prays that this suit may be dismissed as withdrawn and refund of 50% of court fee may be ordered".*

2. The learned counsel for the plaintiff has made an endorsement that the suit is dismissed and withdrawn and also prayed for refund of half of the court fee. However, Section 69 of the Tamil Nadu Court-Fees And Suits Valuation Act does not contemplate for such refund of court fee and moreover, the issues are already framed. Hence, the Civil Suit is dismissed as withdrawn and the Court fee cannot be refunded. No costs.

सत्यमेव जयते

sd/.N.S.K.J

24.11.2016

//Certified to be a true copy//

Dated this the      day of      2017

R.s/06.04.2017

COURT OFFICER

From 25.09.2008 the Registry is issuing certified copies of the Order/Judgment Decree in this format.