

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.02.2016

CORAM:

THE HONOURABLE MR. JUSTICE **K.K.SASIDHARAN**

C.S.No.702 of 2014

and

A.No.865 of 2014

M.Arumugam

Vs.

Plaintiff

1. M/s. PET MOULDS PVT. LTD

Rep.by its Managing Director,
Mr. Ilamaran, Old No.15,
New No.26/1, Z Block,
11th Street, Anna Nagar,
Chennai - 600 040

2. Balasubramanian E.D.

Director of M/S. PET Moulds Pvt.Ltd.,
B- 004, Dugar Estate, MTH Road,
Ambattur, Chennai - 600 053

.. Defendants

Suit filed under Order IV Rule 1 of Original Side rules read with Order VII Rule 1 of Code of Civil Procedure prays for a judgment and decree (a) directing the defendant to specifically perform its part of the obligations arising out of the Sale Agreement dated 30.05.2014 and convey the suit schedule B property in favour of the Plaintiff on receipt of the balance Sale Consideration of Rs.43,54,158/- (Rupees Forty Three lakhs Fifty Four Thousand one hundred and fifty eight only) free

from all encumbrances and litigation (OR) in the alternative direct the Defendant to refund the Plaintiff a sum of Rs.43,54,158/- (Rupees Forty Three lakhs Fifty Four Thousand one hundred and fifty eight only) together with interest at the rate of 24% p.a. from the date of Plaint till the date of actual realization (b) grant a decree for permanent injunction restraining the defendant, their man, agents, servants or any other person or persons acting on their behalf from in any manner entering into property or alienating or deed or in any manner dealing with or creating any encumbrance over the suit property (c) to direct the defendants to pay plaintiff the costs of the suit.

For Plaintiff ... Mr.M.R.Radhakrishnan
 For D1 ... Mr.Joseph Gunasekar
 For D2 .. Mr.K.S.Kumar

सत्यमेव जयते

J U D G M E N T

The plaintiff filed a suit for specific performance on the strength of the sale agreement dated 30.5.2014.

2. The respondents entered appearance and contested the matter. The parties, during the currency of the suit, settled the matter and entered into a memo of compromise on

10 February, 2016. The memo contains the terms and conditions of settlement.

3. The plaintiff is present in Court today. The first defendant is represented by Thiru Ilamaram, Managing Director. The second defendant is also present in Court. The parties have confirmed the settlement and execution of the memorandum of compromise dated 10.02.2016. The parties wanted a decree in terms of the memo of compromise.

4. The suit is decreed in terms of the Joint Memo of Compromise dated 10 February, 2016. The memo shall form part of the decree. No costs. Consequently, connected application is closed.

sd/.K.K.S.J

17.02.2016

//Certified to be a true copy//

Dated this the day of 2016

R.s/26.02.2016

COURT OFFICER

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