

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **20.12.2016**

CORAM

THE HONOURABLE MR. JUSTICE **C.V.KARTHIKEYAN**

C.S.No.1053 of 2010

Triad Trading Services Private Limited,
Rep.by its Director,
P.Ram Mohan

... Plaintiff

Vs.

1.S.Sethupathy
2.Malar Sethupathy
3.D.Daniel
4.V.Dyaneshwar
5.T.S.Shanti
6.K.Sarath Kakumanu

... Defendants

PRAYER: This Civil Suit filed under Order IV Rule 1 O.S. Rules read with Order VII Rule 1 CPC, praying for the following reliefs:

(a) Directing the defendants to hand over to the plaintiff vacant possession of the property, viz., constructed residential flat area of approx 1031 sq.ft on I floor of building situated at No.4, Kalyan Atkinson Road Vepery Chennai 600 010 and more particularly described in Schedule C hereunder;

(b) Directing the defendants to pay a sum of Rs.7,20,000/- (Rupees Seven Lakh Twenty Thousand only) towards damages for use and occupation of the property, viz., constructed residential flat area of approx 1031 sq.ft on I floor of building situated at No.4, Kalyan Atkinson Road Vepery Chennai 600 010 and more particularly described in Schedule C hereunder till the date of the suit;

(c) Directing the defendants to pay a sum of Rs.20,000/- (Rupees Twenty Thousand only) per month towards damages for use and occupation of the property, viz., constructed residential flat area of approx 1031 sq.ft on I floor of building situated at No.4, Kalyan Atkinson Road, Vepery, Chennai - 600 010 and more particularly described in Schedule C hereunder and forming part of Schedules A hereunder from the date of this suit till the date of delivery of possession of the said property to the plaintiff;

(d) For a permanent injunction restraining the defendants, their men, agents, servants or any person claiming through or under them from in any manner making any alienation of the property, viz., constructed residential flat area of approx 1031 sq.ft on I floor of building situated at No.4, Kalyan Atkinson Road Vepery, Chennai - 600 010 and more particularly described in Schedule C hereunder.

(e) For costs of the suit

For Plaintiff : Mr. Harshad P. Goklaney

For D1 : Mr.M.Vijaya Mehanath

JUDGMENT

The learned counsel for the plaintiff even on the earlier occasion stated that the matter has been settled.

2. Today, the learned counsel has made an endorsement that the matter has been settled out of Court and consequently, the suit is being withdrawn.

3. The suit is dismissed as settled out of Court. Office is directed to refund 50% of the Court fees paid in accordance with rules.

20.12.2016

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C.V.KARTHIKEYAN, J.

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