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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.04.2016

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE M.M.SUNDRESH

C.S.No.16 of 2006

M/s.Sundaram Finance Ltd.,
Rep. by its Deputy General Manager
(Legal), No.21, Pattullos Road,
Chennai.

.. Plaintiff

-vs-

1.M/s.Jawahar Mills Ltd.,
No.4, Nehru Nagaram,
Salem.

2.P.L.Vivekanandan

.. Defendants

Plaint filed under Order IV Rule 1 of O.S. Rules read with Order VII Rule 1 of C.P.C., to pass a Judgment and Decree against Defendants 1 and 2 herein for a sum of Rs.92,14,528/- being Rs.45,13,071/- towards Principal and Additional Finance Charges due under lease agreement dated 1.9.1995 and Rs.47,01,457/- towards principal and additional finance charges due under lease agreement dated



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For Plaintiff : Mr.S.Sivasankar
for M/s.Sarvabhauman Associates

For Respondents : Mr.PL.Narayanan

* * * * *

J U D G M E N T

(Judgment of the Court was delivered by The Hon'ble Chief Justice)

A joint consent memo has been filed by the parties, who are also present in Court. In terms of the consent memo, the second defendant, with the assistance of his son Mr.V.Palaniappan, has paid a sum of Rs.31,00,000/- (Rupees thirty one lakhs) by bank draft to the plaintiff in full and final settlement of all claims made in the suit, which has been accordingly accepted by the plaintiff. This is stated to include the claim after sale of the Matador van. The attachment orders obtained by the plaintiff consequently stand lifted and all assistance in this behalf will be provided by the plaintiff.

2.The aforesaid joint consent memo is marked as Exhibit 'A'.

3.In view of the aforesaid, a decree is passed in terms of Exhibit 'A', which shall form part of the decree sheet. The suit stands satisfied. Parties are left to bear their own costs.



4.The settlement having been arrived at with the mutual consent of the parties through intermediaries, the refund of court fee as admissible may be affected.

sd/.(S.K.K., CJ.) & (M.M.S., J.)

25.04.2016

//Certified to be a true copy//

Dated this the day of 2016

S.s/01.08.2016

COURT OFFICER

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