

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 12.08.2016

Coram:

The Hon'ble Mr.Justice **M.M.SUNDRESH**

C.S.No.133 of 2012

Mrs. Malini Sathesh Plaintiff

Vs.

Ms. Ashalatha Ramanujam Defendant

The suit has been filed under Order IV Rule 1 of Original Side Rules of the High Court of Judicature at Madras read with Order VII Rule 1 of Code of Civil Procedure for a decree and judgment:

(a) Directing the defendant to pay the plaintiff a sum of Rs.25,00,000/- as damages;

(b) Declare that the car park in Slot No.18 is vacant as per the Apartments Plan;

(c) For permanent injunction restraining the defendant or her agents or representatives or her men, her servants from parking their cars in car park Slot No.18 Sindur Sea Princes Apartments, 9, Coastal Road, Besant Nagar, Chennai - 600 090 and for costs.

For Plaintiff : Mr.C.A.Theagarajan

For Defendant: Mr.S.Sathishkumar

Judgment

The suit is filed seeking for (i) damages, (ii) for declaration to declare that the car park in Slot No.18 is vacant as per the Apartments Plan and (iii) for permanent injunction restraining the defendant from parking cars in car park Slot No.18 Sindur Sea Princes Apartments, 9, Coastal Road, Besant Nagar, Chennai-600 090 and for costs.

2. When the matter is taken up for hearing today, both the counsel appearing for the parties submitted that the matter has been resolved before the Tamil Nadu Mediation and Conciliation Centre in terms of the Memorandum of Compromise filed therein.

3. As seen from the Mediation Report of the Tamil Nadu Mediation and Conciliation Centre dated 18.07.2016, both the parties appeared before the Centre along with their counsel and the matter has been settled between them as per the terms cited in the Memorandum of Compromise enclosed.

4. The terms of the Memorandum of Compromise signed by both the parties and attested by the respective counsel is as follows:-

"The suit may be dismissed as withdrawn as it is settled out of court and hence the parties will not claim against each other in this regard."

5. Learned counsel appearing for the plaintiff seeks to withdraw the suit. Accordingly, the suit is dismissed as withdrawn. The Registry is directed to refund the entire Court fee to the learned counsel for the Plaintiff.

sd/.M.M.S.J

12.08.2016

//Certified to be a true copy//

Dated this the day of 2017

R.s/06.3.2017

COURT OFFICER

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



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