

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.02.2017

CORAM

THE HONOURABLE MR.JUSTICE **K.KALYANASUNDARAM**

C.S.No.871 of 2015

and

A.Nos.7252 of 2015 & 879 of 2016

M/s.Jay Pee Roadways (Madras)
Rep.by its Proprietor
Mr.Ragubir Singh
7th Floor, EGA Trade Centre
No.809, Poonamallee High Road,
Kilpauk, Chennai – 600 010.

... Plaintiff

Vs

M/s.Transstroy (India) Limited
Rep. by its Managing Director,
No.8-2-293/82/A/61/1,
Plot No.60 and 61A
Road No.10 and 5,
Jubilee Hills Co-operative House
Building Society Limited,
Hyderabad – 500 033.

... Defendant

Plaint filed under Order VII Rule 1 of CPC and Order IV
Rule 1 of O.S. Rules

For Plaintiff : Mr.S.Dhassaiya

For Defendant : M/s.Paul & Paul
JUDGMENT

This suit has been filed for the following reliefs:

(i) directing the defendant to pay a sum of Rs.34,97,968/- together with interest at the rate of 18% per annum from the date of plaint till realization being a commercial cause and

(ii) For the cost of the suit

2. Pending the suit, the Application has been referred for mediation to Tamil Nadu Mediation and Conciliation Centre, High Court, Madras.

3. A communication dated 25.01.2017 of the Tamil Nadu Mediation and Conciliation Centre, High Court, Madras, enclosing a copy of its report dated 18.01.2017 has been received, wherein it is stated as follows:-

"Both the parties are present with their counsel. Defendant had submitted a final Demand Draft of Rs.10,00,000/- drawn on Axis

Bank bearing No.988491 towards the payment. A copy of the Demand Draft is enclosed. The defendant has made a total payment Rs.30,00,000/- (Rupees Thirty Lakhs only) all the payments in accordance with the Memorandum of Understanding dated 20.07.2016, the original of Memorandum of Understanding has been filed before the Hon'ble High Court by the plaintiff. This is a full and final payment with no dues from the defendant to the plaintiff. Hence the matter is submitted back to the Hon'ble Court.

4. In terms of the settlement arrived at between the parties which is recorded under the mediation report dated 18.01.2016 by the Tamil Nadu Mediation and Conciliation Centre, High Court, Madras, this Civil Suit and the Applications are disposed of. The mediation report dated 18.01.2016 of the Tamil Nadu Mediation and Conciliation Centre, High Court, Madras shall form part of the decree.

07.02.2017

rgr

To

The Sub Assistant Registrar,
Original Side,

High Court, Madras.

K.KALYANASUNDARAM, J.

rgr

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