

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 20.06.2017

CORAM

THE HON'BLE JUSTICE Mr.P.KALAIYARASAN

C.S.No.1138 of 2009

K.E.Kumar

... Plaintiff

Vs

1.M/s.K.G.Foundations Pvt. Ltd.,
Rep. by its Director,
Kishorekumar Gokuldas,
No.5, Bishop Wallers Avenue [East],
Mylapore, Chennai 600 004.

2.Kishorekumar Gokuldas.

... Defendants

Plaint filed under Order IV Rule 1 of O.S. Rules read with Order VII Rule 1 of CPC, 1908 praying for a Judgment and decree as against the defendants:

a) For recovery of a sum of Rs.2,10,32,500/- towards the probable cost of construction to be incurred by the plaintiff on account of incompleteness and abandonment of the project by the defendants 1 and 2;

b) For recovery of damages sustained by the plaintiff towards the loss of rental income at Rs.72,00,000/- till date together with interest at 18% per annum and future damages with interest at 18%, per annum and future damages at the rate of Rs.10,00,000/- per month till such time the building is completed and fit for occupation as per the rules of C.M.D.A. and the local authority;

c) Grant such further or other reliefs and

d) Grant costs of the suit.

For Plaintiff : Ms.Vasudha Thiagarajan

For Defendants : Dr.P.Vasudevan

J U D G M E N T

Application No.3215 of 2017 filed by the plaintiff seeking to record the Joint Memorandum of Compromise dated 16.06.2017, entered into between the plaintiff and the defendants and pass a Judgment and Decree has been allowed today.

2. Accordingly, the suit is decreed in terms of the Joint Memorandum of Compromise entered into between the parties dated 16.06.2017. Memorandum of Compromise dated 16.06.2017, shall form part and parcel of the decree. Parties are ordered to bear their own costs.

20.06.2017
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Note : Issue order copy on 21.06.2017

ah/gya

Index : Yes/No

Internet : Yes

P.KALAIYARASAN, J.

gya

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