

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.08.2017

CORAM

THE HON'BLE MS.INDIRA BANERJEE, CHIEF JUSTICE
and
THE HON'BLE MR. JUSTICE M.SUNDAR

O.S.A.No.339 of 2012

Shree Builders,
rep. by its Managing Partner P.Ravichandran,
21/1, Navaneethammal Street,
Ayyavoo Naidu Colony,
Aminjikarai,
Chennai-600 040. .. Appellant /1st Respondent

vs

1.Sterling Holiday Resorts (India) Ltd.,
rep. by its Manager - Legal s.Vijayakumar,
No.406, T.T.K. Salai,
Chennai - 600 018. ...1st Respondent/Petitioner

2.Sri.S.Naganathan ...2nd Respondent/2nd Respondent

Appeal filed under Order XXXVI, Rule 9 of Original Side Rules read with section 37 of the Arbitration and Conciliation Act, against the order dated 22.03.2006 in O.P.No.382 of 2002 on the file of this Court, praying to set aside the award dated 18.01.2002 passed in favour the 1st Respondent by the 2nd Respondent.

For Appellant .. Ms.Girija Velmurugan

For Respondents ... Mr.K.Balamurali
for M/s.Shivakumar & Suresh
for 1st respondent

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JUDGMENT

(Delivered by The Hon'ble Chief Justice)

The matter was referred to mediation of Tamil Nadu Mediation and Conciliation Centre, High Court, Madras and the disputes have duly been settled in the following manner:

"1.The claims of the Appellant under work orders dated 29.04.1996, 14.08.1996 and 24.09.1996 between the Appellant and the Respondent are being settled by payment of a sum of Rs.10,00,000/- (Rupees Ten Lakhs only) in full and final settlement.

2.The Appellant has no further claims and OSA.No.339/2012 arising out of O.P.No.382/2002 which was against the arbitral award dated 18.01.2002 passed in the said work orders will be withdrawn by the Appellant.

3.The Appellant confirms receipt of a sum of Rs.9,80,000/- (Rupees Nine Lakhs Eighty Thousand only) by way of demand draft No.847698 drawn on Kotak Mahendra Bank dated 13.03.2017. This amount is after deduction of tax at source.

4.The parties agree that they have no further claims against each other."

2. It is submitted that a sum of Rs.10,00,000/- (Rupees Ten Lakhs only) in terms of the settlement has duly been paid. The parties agree that they have no further claims against each other.

3. The appeal is, accordingly, disposed of. No costs.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

1.The Sub Assistant Registrar,
Original Side, High Court, Madras.

copy to

The Section Officer

Tamil Nadu Mediation and Conciliation Centre

High Court Madras

+1 cc to M/s.Sivakumar and suresh advocate sr59770

O.S.A.No.339 of 2012

gjII(co)

aa06/09/2017