

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.01.2017

CORAM:

THE HON'BLE MR.JUSTICE K.K.SASIDHARAN
AND
THE HON'BLE MR.JUSTICE V.PARTHIBAN

Original Side Appeal No.114 of 2010 and
M.P.No.1 of 2010

Five Star Business Credits Ltd.,
Rep. by its Managing Director
V.K.Renganathan
689, Poonamallee High Road,
Chennai - 60 0029.

...Appellant

vs.

1. Smt.Sowmithiri Reddy (Deceased)
2.Seetha Ramkumar
3.A.V.Balagurusamy

4.BRN Investments and Financial
Consultancy Private Limited,
Rep. by its Directors,
Mr.B.H.Kothari and Mrs.Nina B.Kothari
No.2, Nungambakkam High Road,
Chennai - 600 034.

5.RBN Securities Private Limited,
Rep. by its Directors,
Mr.B.H.Kothari and Mrs.Nina B.Kothari
No.2, Nungambakkam High Road, Chennai - 600 034.

6.N.Aruna Reddy
7.S.L.Rajiv Reddy
8.G.Anita Reddy

...Respondents

(RR6 to 8 brought on record as LR's of deceased R1
vide order of Court dated 19.06.2012 made in M.P.
1 to 3/2012 in OSA.No.114 of 2010)

Original Side Appeal filed under Order XXXVI Rule 1 of the
Original Side Rules r/w Clause 15 of the Letters Patent,
against the judgment and decree dated 20.10.2009 passed in
C.S.No.970 of 2000 on the file of this Court.

For Appellant : Ms.Narmadha Sampath

For Respondents: Mr.Sivashankar for
M/s.Sarvabhauman Associates
for R4 and R5
Mrs.K.Aparnadevi for
Mr.M.Muralidhara Reddy
for R6 and R8
Mr.Ambilimenon for R7
No appearance for R2 and R3
R1 Died

J U D G M E N T

(delivered by K.K. SASIDHARAN, J.)

The appellant has filed the intra court appeal challenging the judgment and decree, dated 20 October 2009 in C.S.No.970 of 2000.

2. During the currency of the intra court appeal, the parties have settled the matter, in and by which, the appellant has agreed to pay a total sum of Rs.39,00,000/- (Rupees Thirty Nine lakhs only) to the respondents 6 to 8, which is inclusive of the amount in Court Deposit (Rs.25,00,000/-). Both the parties appeared before us and confirmed the factum of settlement.

3. The parties have filed a Memorandum of Compromise, dated 10 January 2017 indicating the terms and conditions of the settlement. As per the settlement, the appellant has handed over Demand Drafts for a total sum of Rs.14,00,000/- to the respondents 6 to 8.

4. In view of the settlement arrived at among the parties, we permit the respondents 6 to 8 to withdraw the amount of Rs.25,00,000/-, which is lying in Court deposit.

5. The Original Side Appeal is disposed of in terms of the Memorandum of Compromise. The Memorandum of Compromise, dated 10 January 2017 shall form part of the decree. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

svki

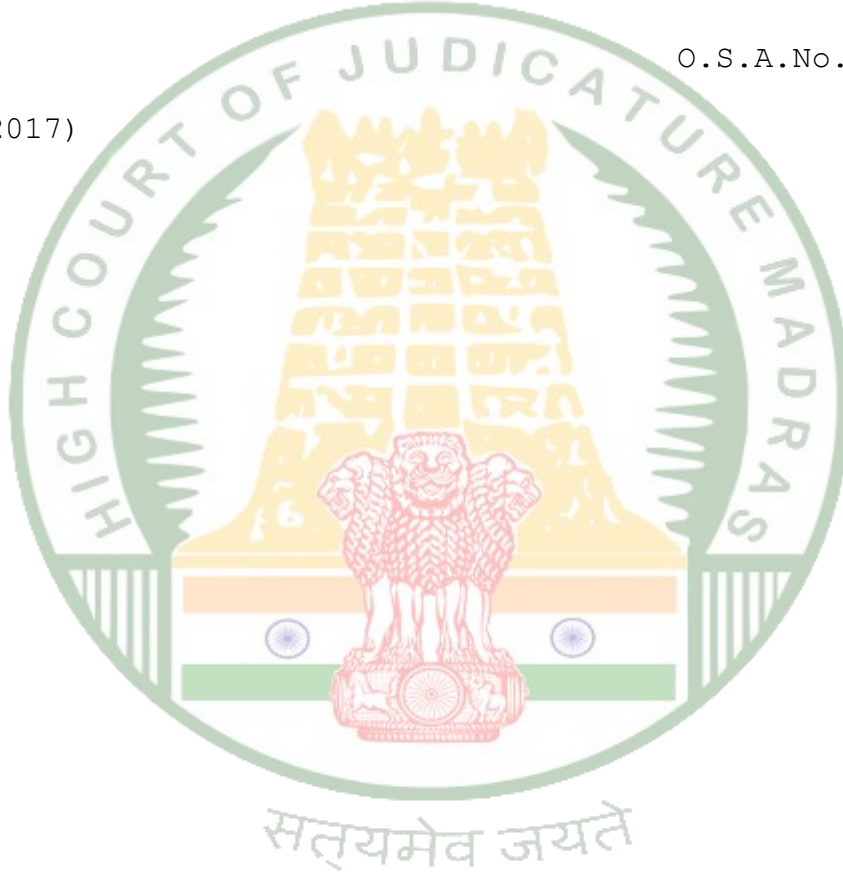
To

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

+1cc to Mr.Sarvabhuman Associates, S.R.No.2777
+2cc to Mr.Narmatha Sampath, Advocate, S.R.No.3082
+1cc to Mr.T.Sai Krishnan, Advocate, S.R.No.2378

O.S.A.No.114 of 2010

PA (CO)
RS (08/05/2017)



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