

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.01.2018

CORAM

THE HONOURABLE MR.JUSTICE **R.SUBRAMANIAN**

C.S.No.567 of 1998

M/s.Five Star Business Credits Ltd., ... Plaintiff

..Vs..

1.L.T.L.International,

2.R.Sugumar

3.S.Sundaramurthy

... Defendants

Plaint filed under Order VII Rule 1 C.P.C. read with Order XXIV Rule 4 and 5 Order XXXVII Rule 1 O.S.Rules, praying to pass a judgment and decree:-

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a) That court will order the defendants to pay to the plaintiff the said sum of Rs.22,99,758/- with such further interest at 36% p.a., as may accrue between filing of the plaint and the date of payment and

also the costs of this suit on a date to be fixed by this Hon'ble Court and in default that the said property may be sold and the proceeds after defraying there out the expenses of the sale applied in and towards the payment of the amount of the principal interest and costs.

2.that if such proceeds shall not be sufficient for the payment in full of such amount the defendants may be ordered to pay to the plaintiff the amount of the deficiency with interest thereon at the rate of 36% per annum until realisation and;

3.that for that purpose all proper directions may be given and accounts taken by the court.

For Plaintiff : Mr.V.Gajapathy

For Defendants: Mr. M.Ajmal Khan

JUDGMENT

It is submitted that the matter was referred to Mediation at the instance of the learned counsel for both sides and a compromise was entered into before the Mediation Centre. The Memorandum of Compromise has also been filed on 08.12.2017. The said Memorandum of Compromise is recorded and there will be a decree in terms of the

Memorandum of Compromise.

2. In view of the settlement arrived between the parties before the Mediation Centre, the plaintiff will be entitled to refund for the entire Court fee paid in the suit.

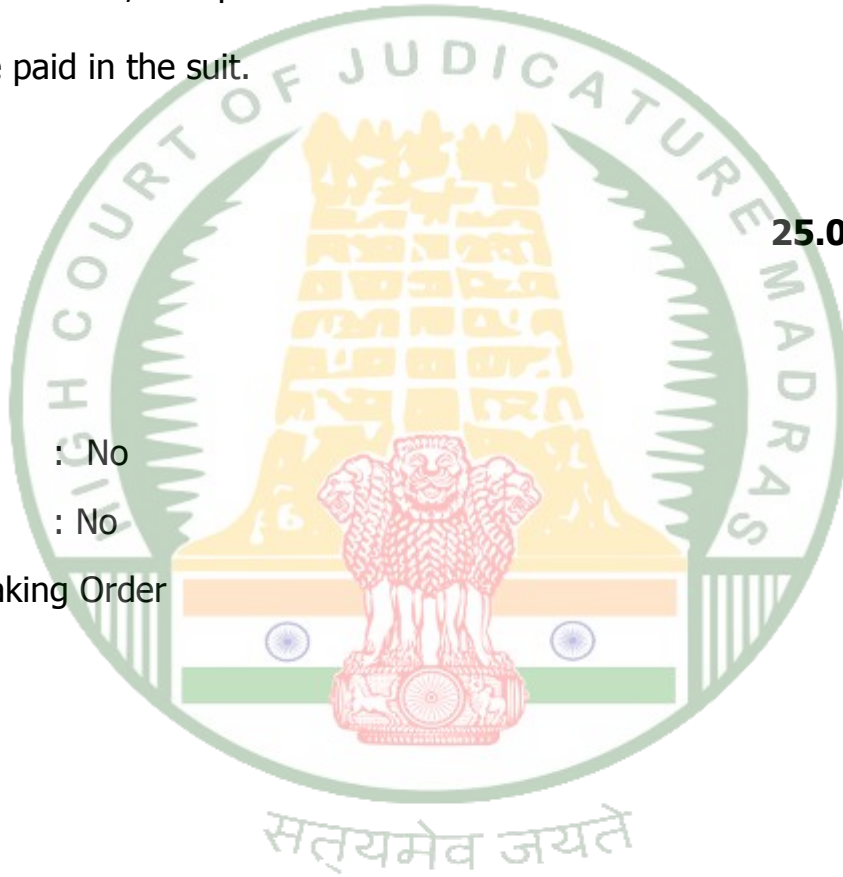
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Non-speaking Order



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