

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.01.2018

CORAM

THE HON'BLE Mr.JUSTICE M.SUNDAR

C.S.No.888 of 1999

1.M/s.Maars Software International Ltd.,
rep by its Company Secretary
& Finance Manager.

2.M/s.Forsee Financial and Consultancy
Services Ltd.,
rep by its Director

3.M/s.Wellwin Industries Ltd.,
rep by its Director (Operations)

.. Plaintiffs

Vs.

1.M/s.Vibrant Investments and Properties Ltd.,
rep by its Managing Director.

2.R.Ramakrishnan

3.R.Venkataraman

4.G.Dinaker Rao

5.R.Kesavan

6.Kishor Kumar Gokuldas

7.A.Damodaran

8.Roy Abraham

9.G.Srinivasan

.. Defendants

This Civil Suit is preferred, under Order IV Rule 1 of Original Side Rules read with Order VII Rule 1 of C.P.C. VII Rule 1 of CPC seeking judgment and decree for a sum of Rs.1,13,60,000/- together with interest at 24% p.a. on Rs.80,00,000/- from the date of the plaint till the date of realisation and for cost of the suit.

For Plaintiff : Mr.A.K.Sriram
for M/s.A.S.Kailasam & Associates

For Defendant : Mr.K.Balakrishnan for D1 and D2
Mr.R.Senthilkumar for D6

JUDGMENT

Today, Mr.A.K.Sriram, learned counsel for M/s.A.S.Kailasam & Associates (Law Firm) for plaintiffs submits that he has instructions from his clients to make a request to this Commercial Division to dismiss this suit as settled out of court. To be noted, jurisdiction aspect of this commercial division over this suit has already been examined and expression of intention of this commercial division to exercise jurisdiction over this suit has already been recorded vide proceedings / order dated 7.12.2017.

2 An endorsement to this effect has been made in the suit file by Mr.A.K.Sriram, learned counsel.

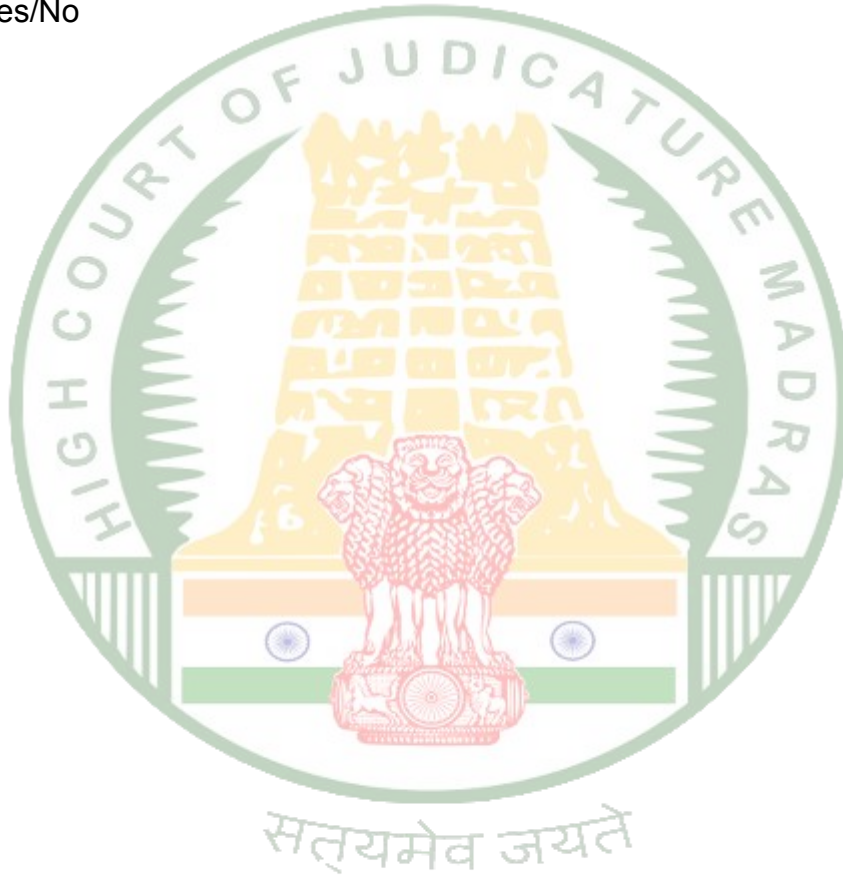
3 In the light of the aforesaid submission and endorsement, this suit is dismissed as settled out of court.

4 Learned counsel for plaintiffs makes a request that the court fee paid on this plaint shall be returned by way of suitable instrument in the name of the law firm for plaintiffs, i.e., M/s.A.S.Kailasam and Associates. In the light

of the said submission, Registry is directed to refund the court fee in accordance with the prevailing / obtaining Court Fees Act and applicable rules.

17.01.2018

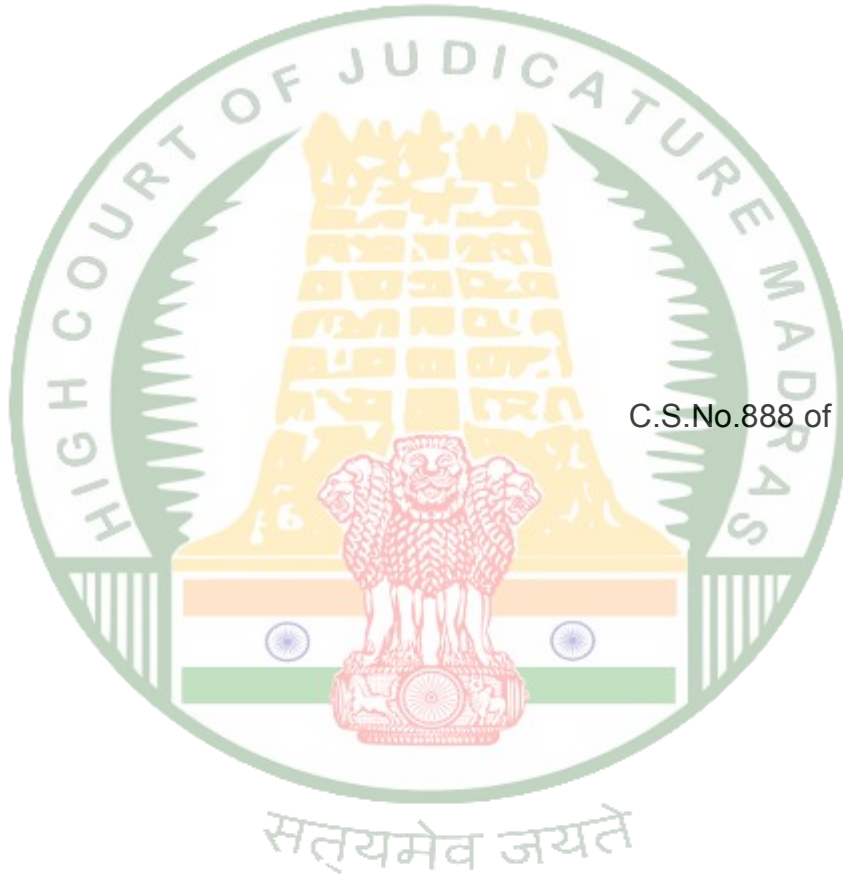
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M.SUNDAR, J.

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