

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.03.2018

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

C.S.No. 186 of 2017

M/s. United Motors and Heavy Equipment Private Limited,
A Company incorporated under the Companies Act, 1956,
having its registered office at,
Plot No.12-A, KIADB Indl. Area,
Sy. No. 85, Chokkahalli Village,
Kasaba Hobli, Hoskote Taluk,
Bangalore-562 114.

Represented by its Manager-Finance,
Mr.K.Balamurli.

... Plaintiff

Vs.

M/s. Sundaram Industries Private Limited,
A Company incorporated under the Companies Act, 1956
having its registered office at
TVS Building, 7B, West Veli Street,
Madurai-625 001.

Also at,

P.B.No.123-211 South Veli Street,
Madurai-625 001.

Having offices at-
No.280, Anna Salai,
Chennai 600 002.

Represented by its Managing Director,
Ms.PrithaRatnam.

... Defendant

PRAYER: This Civil Suit filed under Order VII Rule 1 of CPC read with Order IV Rule 1 of Original side Rules, praying for the following reliefs:

a) directing the defendant to pay to the plaintiff the sum of Rs.27,40,316/-;

b) directing the defendant to pay Rs.24,06,219/- being the interest from the date of the respective invoices till the date of filing of the suit, together with future interest on Rs.27,40,316/- from the date of filing of the suit till the date of payment at the rate of 11.7% p.a being the plaintiff's overdraft interest rate;

c) directing the defendant to pay Rs.14,85,000/- being the value of the 27 tyres together with interest of Rs.8,88,718/- at 11.7% per annum from January 2012 till date of filing the suit Rs.8,88,718/- amounting in all Rs.23,73,718/- with further interest on Rs.14,85,000/- and together with future interest from the date of filing of the suit till the date of payment at the rate of 11.7% p.a, being the plaintiff's overdraft interest rate; and

d) directing the defendant to pay costs of the suit.

For Plaintiff : Mr. C.Mohan

For Defendant : Ms. Pritha Ratnam

JUDGMENT

A memo has been filed that the plaintiff is withdrawing the suit.

2. It is represented by the learned counsel for the plaintiff that written statement has not been filed and consequently, this Court had not entered into the issues between the parties.

3. The memo is recorded and the suit is dismissed as withdrawn. The plaintiff is entitled to refund the entire Court fees as per rules. No costs.

09.03.2018

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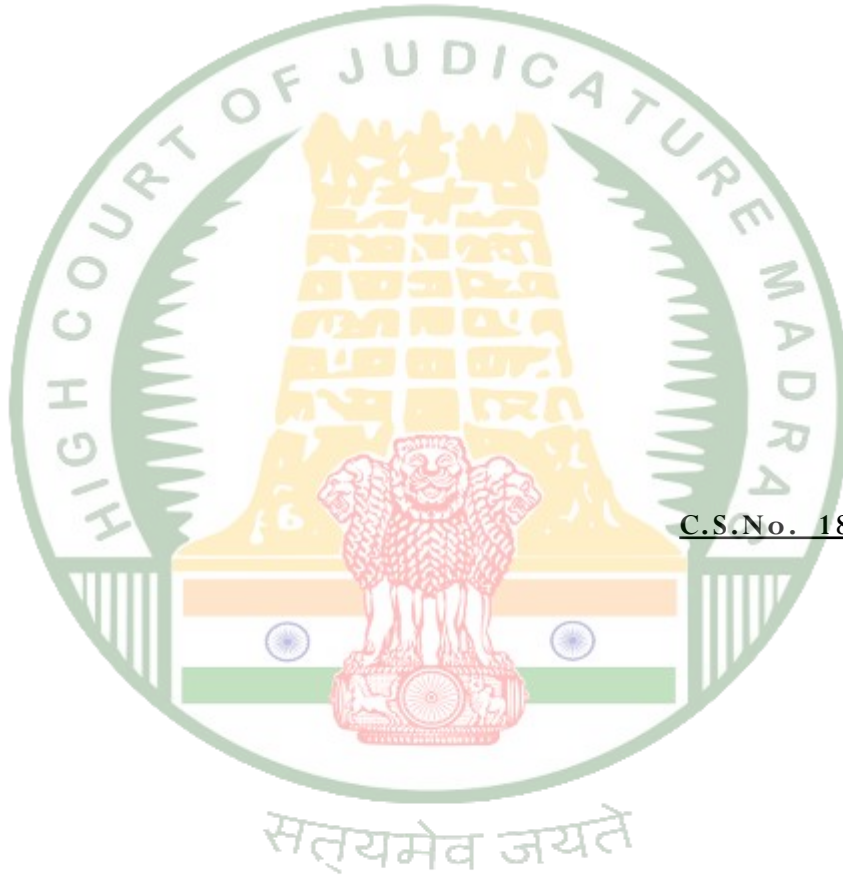
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C.V.KARTHIKEYAN, J.

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