



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

WEDNESDAY, THE 11TH DAY OF JULY 2018

THE HON'BLE MR. JUSTICE V.BHARATHIDASAN

C.S. No.262 of 2014

M/s VSU Properties Pvt Ltd.,
Represented by its Managing Director,
Mr.V.C.Srinivasan
Having office at
4/341, Old Mahabalipuram Road,
Kottivakkam, Chennai - 600 041. ... Plaintiff

-Versus-

Mr.P.Nandakumar
Son of Late K.Ramamoorthy
E-2, Alsa Gardens, 72 Harington Road,
Chetpet, Chennai - 600 031. ... Defendant

Civil Suit praying that this Hon'ble Court be
pleased to pass a judgment and decree in favour of the
plaintiff and as against the defendant herein:-

a) declaring that the development agreement dated
09.05.2013 between the plaintiff and the defendant
inrespect of the suit property is subsisting and
enforceable.

b) in the alternative directing the defendant to pay
a sum of Rs.54,00,000/- towards refundable advance and a
sum of Rs.10,52,060/- towards interest for the above
mentioned amount totalling a sum of Rs.64,52,060/- with
subsequent interest at the rate of 24% per annum on the sum
of Rs.54,00,000/- from the date of plaint till the date of
realization to the plaintiff;

c) mandatory injunction directing the defendant to
execute the power of attorney as per the agreement dated
09.05.2013 inrespect of the suit property;

d) grant permanent injunction restraining the
defendant or his men, agents, power of attorney or any one
acting on behalf of the defendant from alienating,



encumbering, in any way dealing the suit property to third parties;

e) directing the defendant to pay a sum of Rs.21,51,500/- towards compensation to the plaintiff for canceling the power of attorney dated 09.05.2013 registered as Document No.5453 of 2013 in Book IV on the file of Sub-Registrar at Ambattur;

f) directing the defendant herein to pay the plaintiff the costs of the above suit.

This Civil Suit coming on this day before this court for hearing in the presence of Mr.S.Bhargavan, advocate for the plaintiff herein and Mr.S.V.Shah for M/s.Shah & Shah, advocates for the defendant herein and upon reading the plaint filed herein and the joint memo of compromise signed by the plaintiff and the defendant herein and their respective advocates and more fully set out in the schedule hereunder and this court doth recording the same, it is ordered as follows:-

That the suit C.S. No.262 of 2014 be and is hereby dismissed as settled out of court.

2. That a certificate under Section 69 of The Tamil Nadu Court Fees and Suits Valuation Act XIV of 1955 (Amended Act), do issue herein, out of under the seal of this Court in favour of M/s.VSU Properties Pvt Ltd., Represented by its Managing Director, Mr.V.C.Srinivasan, the plaintiff herein, authorising them to receive from the Pay and Accounts office, High Court, Chennai, a sum of Rs.93,312.50/- (Rupees ninety three thousand three hundred and twelve and paise fifty only) being the entire court fee paid on the plaint by the plaintiff herein.

3. That both parties hereto shall bear their respective costs.

SCHEDULE

JOINT MEMO OF COMPROMISE



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C.S. No.262 of 2014

ORDER :-

DATED : 11.07.2018

THE HON'BLE MR.JUSTICE
V.BHARATHIDASAN

FOR APPROVAL:07/09/2018

APPROVED ON :07/09/2018