

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.01.2018

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

C.S.No. 343 of 2015

M/s. PKM Metal Buildings Company Private Limited
Administrative Office at 24/31-First Main Road,
2nd Cross, Padi, Olympic Colony,
(Near Catholic Syrian Bank),
Chennai - 600 050 Rep. by its Director ... Plaintiff

Vs.

1. M/s. Easun Reyrolle Ltd.,
Rep. by its Managing Director
Having their Registered Office at 6th Floor
Temple Tower, 6/2, Anna Salai
Nandanam, Chennai - 600 035.
1. M/s. Easun Reyrolle Ltd.,
Rep. by its Chief Finance Officer
No. 389, Rasukumaki, Hulimavu
Begur Hobli, Bannerghatta Road
Bangalore - 5600 076. ... Defendants

PRAYER : This Civil Suit filed under Order VII Rule 1 O.S. Rules read with Order XXXVII CPC, praying for the following reliefs:

- (a) to direct the first and second defendants to pay severally or jointly to

the plaintiff a sum of Rs.35,23,363/- (Rupees Thirty Five Lakhs Twenty Three Thousand Three Hundred Sixty Three only) towards the principal and a further sum of Rs.16,11,939/- (Rupees Sixteen Lakhs Eleven Thousand Nine Hundred Thirty Nine only) towards the simple interest @ 18% p.a from 15.09.2012 to till date of filing of t his plaint totalling to Rs.51,35,302/- and a future interest on Rs.35,23,363/- at the rate of 18% p.a from the date of filing to till the date of realization of the amount due;

(b) for the cost.

For Plaintiff : Mr. R.Arumugam

For Defendants : Mr.S.Elambharathi

JUDGMENT

On 12.01.2018, a joint memo of compromise had been filed by both the learned counsel for the plaintiff and the defendants. The same was taken on record by the Court, but subsequently, both the learned counsels stated that slight amendment can be made in Clause 6(a) of the said joint memo of compromise. This was necessitated because there is a Fixed Deposit to the credit of the suit and it was decided that if the Registrar General can make necessary,

endorsement the same could be handed over directly to the plaintiff.

2. Accordingly, a fresh joint memo of compromise has been today produced and signed both the plaintiff and the defendants and also by the learned counsels.

3. This Court unhesitatingly places its appreciation to both the learned counsels Mr.R.Arumugam for the plaintiff and Mr.S.Elambharathi for the defendants, who have pursued with diligence to bring it an amicable settlement between the plaintiff and the defendants.

4. The authorised signatory of the plaintiff and the Managing Director of the defendants are also present in Court. Their efforts to bring about an amicable settlement in the issues between the parties is also much appreciated by the Court. The joint memo of compromise dated 17.01.2018 is recorded and is to form part of the decree.

5. The suit is decreed in terms of the joint memo of compromise dated 17.01.2018. No cost.

6. The Registrar General is directed to make necessary endorsement in the Fixed Deposit so that it may be handed over directly to the plaintiff.

C.V.KARTHIKEYAN, J.

vsg

7. The earlier joint memo of compromise dated 12.01.2018 may be returned to the learned counsel for the plaintiff. The plaintiff shall have no further claim on the defendants in respect of the suit claims.

vsg/mm

Index: Yes/No
Internet: Yes/No.

Note: Issue order copy on 18.01.2018

17.01.2018

C.S.No. 343 of 2015

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