

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.06.2018

CORAM

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANAO.A.No.419 of 2015

M/s.Manakkulan Promoters Private Limited
Represented by its Director Mrs.P.Kavitha
No.356, 35th Street,
7th Sector, K.K.Nagar,
Chennai 600 078

... Applicant

Versus

Mrs.V.Thayarammal
W/o.G.Vasudevan
No.1, Santhanalakshmi Street,
Rajeswari Nagar,
Selaiyur, Chennai 600 073

... Respondent

Petition filed under Order XIV, Rule 8 of the rules of the High Court Madras Original Side 1956, read with Section 9(2)(a)(d) of the Arbitration and Conciliation Act, 1996 praying for an order of interim injunction restraining the respondent herein from entering into any agreement for development or constructing any building in the property measuring 2400 square feet and comprised in R.S.No.315/1 and 2 with sub-division Survey No.315/20 as per Patta No.682, Kottivakkam Village, Sholinganallur Taluk within the registration district of Chennai-South and Sub Registration District of Adyar, either by herself or through any third parties, pending disposal of the Arbitral proceedings initiated under the provisions of the Arbitration and Conciliation Act, 1996.

For Applicant : Mr.A.Devnarenderan

For Respondent : Mr.D.Gopal

ORDER

This application is filed seeking for an order of interim injunction restraining the respondent herein from entering into any agreement for development or constructing any building in the schedule mentioned property, pending disposal of the Arbitral proceedings initiated under the provisions of the Arbitration and Conciliation Act, 1996.

2. By order of this Court dated 14.02.2018, the matter was referred to the Mediation Centre, High Court, Madras. Accordingly, the parties seem to have appeared before the Mediation Centre and arrived at an amicable settlement and the terms of which are reduced to writing under the Terms of Settlement dated 07.03.2018, which reads as follows:

Both parties with counsel present both agree as follows:

- 1) Respondents agree to pay Rs.44,00,000/- (Rupees Forty Four Lakhs Only) in full settlement of the claims of respective parties.*

- 2) Respondents agree to pay Rs.25,00,000/- (Rupees Twenty Five Lakhs only) on or before 14.03.2018 by cheque drawn in favour of Applicant.
- 3) Respondents agree to pay the balance sum of Rs.19,00,000/- (Rupees Nineteen Lakhs only) on or before 14.09.2018 by cheque in favour of the applicant.
- 4) The applicant undertakes to execute a deed of re-conveyance in respect of undivided share of land in respect of schedule mentioned property on receipt of Rs.19,00,000/-(Rupees nineteen Lakhs Only) in favour of respondent.
- 5) The applicant undertakes to return the entire title deeds, technical documents and all other documents in respect of the schedule mentioned property to the respondent on the same date of payment of balance amount of Rs.19 lakhs.
- 6) The applicant undertakes to withdraw O.A.No.419 of 2015 unconditionally immediately after receipt of Rs.19 lakhs.

3. The parties in the Original Application and their respective counsels have signed in the said Terms of Settlement. The above said Terms of Settlement is recorded.

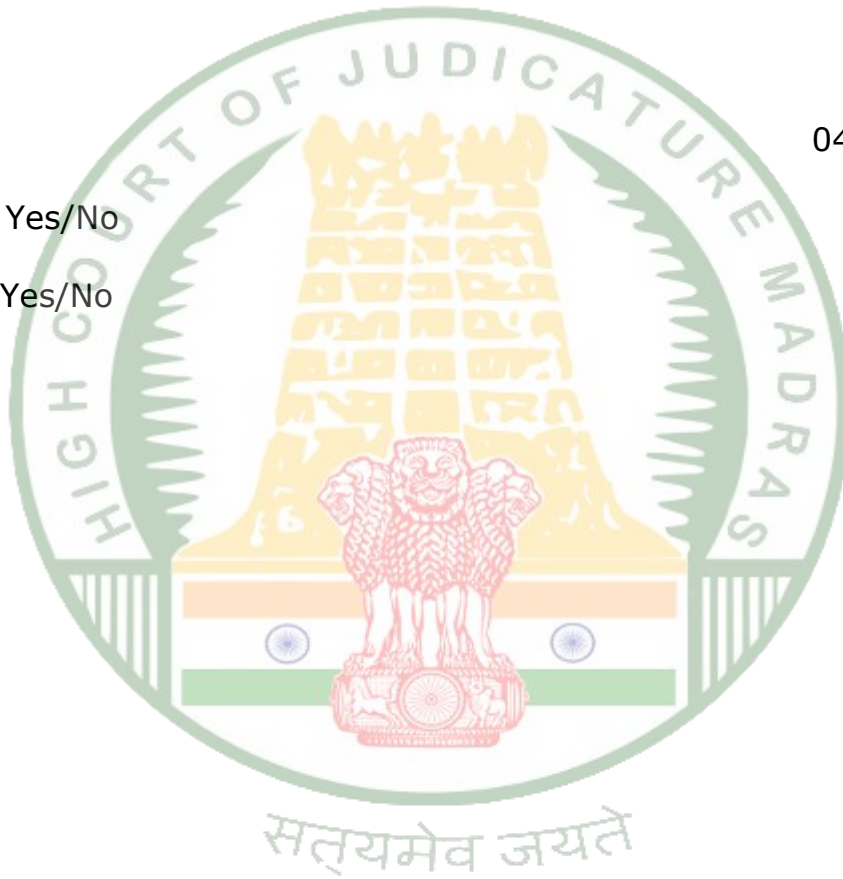
4. In view of the above settlement arrived at between the parties, the Original Application is disposed of. The said Terms of Settlement shall form part and parcel of the order. No costs.

04.06.2018

Index : Yes/No

Internet : Yes/No

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PUSHPA SATHYANARAYANA, J.

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