

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.02.2018

CORAM

THE HONOURABLE MR.JUSTICE **R.SUBRAMANIAN**

C.S.No.1023 of 2009

Devi Polymers Pvt.Ltd.
Rep.by its Executive Director,
Mr.K.N.Mohanram,
T.N.K.House,
48, Anna Salai,
Chennai-600 002.

... Plaintiff

..Vs..

1.M/s.Jit Sun Plastics Pvt.Ltd.,
Registered Office at
No.11, Swastik Society Sagarika,
N.S.Road, No.2,
JVPD Scheme,
Mumbai-400 056.

2.Mr.Amul Shah,
Director of M/s.Jit Sun Plastics Pvt.Ltd.,
No.11, Swastik Society Sagarika,
N.S.Road, No.2, JVPD Scheme,
Mumbai-400 056.

3.Mr.Rahul Shah

... Defendants

Plaint filed under Order IV Rule 1 of Madras High Court O.S.

Rules read with Order VII, Rule 1 C.P.C. praying to pass a judgment

and decree:-

i) Directing the defendants to pay the sum of Rs.45,46,301.90 together with interest at 24% p.a., on the tune of Rs.28,88,316/- to the plaintiff.

ii) to pay the cost of the suit.

For Plaintiff : Mr.M.Sriram
For Defendants : Mr.G.Saibaba

J U D G M E N T

The matter was sent for mediation before the Mediation Centre, where the defendants had agreed to pay a sum of Rs.33,00,000/- towards full and final settlement of the suit claim in four equal monthly installments commencing from 09.12.2016. The proceedings of the Mediation Centre along with the mediation agreement was placed before me today.

2.Mr.M.Sriram, learned counsel appearing for the plaintiff and Mr.G.Saibaba, learned counsel appearing for the defendants would submit that the entire amount has been paid, as per the agreement reached before the Mediation Centre. Hence, the suit is dismissed as settled out of Court.

3. In view of the fact, that the evidence has not been recorded and the suit is dismissed as settled out of Court, the plaintiff would be entitled to refund the entire Court fee. Hence, there will be an order to refund the entire Court fee in favour of the plaintiff.

12.02.2018

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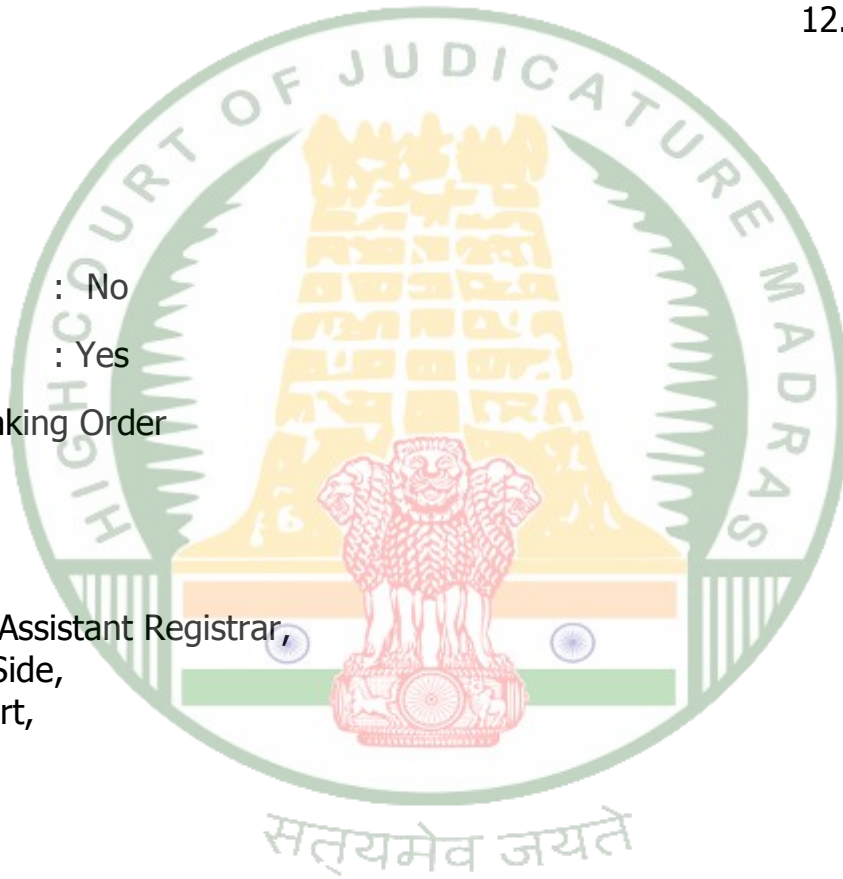
Index : No

Internet : Yes

Non-speaking Order

To

The Sub Assistant Registrar,
Original Side,
High Court,
Madras.



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R.SUBRAMANIAN, J.

KP



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