

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:11.01.2018

CORAM

THE HON'BLE MR.JUSTICE M.SUNDAR

C.S.No.542 of 2013

&

A.No.6067 of 2013

1.M/s.Golden Constructions
Rep. by its Proprietor Mr.J.Rajkumar Balsingh
AC 63, 5th Avenue, Anna Nagar
Chennai – 600 040

2.Mr.Rajkumar Balsingh .. Plaintiffs

Vs.

1.Mr.G.Srinivasan

2.Mr.V.K.Padmanabhan .. Defendants

This Civil Suit is preferred, under Order VII Rule 1 of the Code of Civil Procedure, 1908, read with Order IV Rule 1 of Original Side Rules praying for a direction to the defendants to pay to the plaintiffs a sum of Rs.1,36,42,979/- (Rupees One Crore Thirty Six Lakhs Forty Two Thousand nine hundred seventy one only) as on 31.12.2012 together with interest at the rate of 27% per annum from the date of the plaint till the date of payment with cost of the suit.

For Plaintiffs : Mr.A.Umasankar

For Defendants : Mr.D.Ashok Kumar

JUDGMENT

Mr.A.Umashankar, counsel on record for the both the plaintiffs, is before the Court. Mr.D.Ashok Kumar, learned counsel on record for the both the defendants is before the Court.

2.Mr.Umashankar, counsel on record for the plaintiffs, submits that he has written instructions from his client to withdraw the suit. Based on such written instructions, learned counsel has made an endorsement in the suit file, which reads as follows:

“As instructed by the plaintiff, the suit may be dismissed as settled out of Court and order to refund half court fee paid on plaint”

3. In the light of the submission made and in the light of the endorsement extracted supra, the suit stands withdrawn as settled out of Court. As the suit stands withdrawn as settled out of Court, Registry is directed to process refund of Court fee as per applicable rules and refund the same by way of an instrument in the name of the first plaintiff.

11.01.2018

Speaking/Non-Speaking order

Index : Yes/No

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M.SUNDAR, J.
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