

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.12.2018

CORAM

THE HONOURABLE MR.JUSTICE M.SUNDAR

C.S.No.613 of 2014

M/s.Supreme Land Developers
Private Limited
Raja Annamalai Building
No.74, Marshall Road, Egmore
Chennai - 600 008.
Represented by its Director.

... Plaintiff

Vs.

1.M/s.Reflex Industries Limited
(formerly known as M/s.Reflex
Refrigerants Limited)
No.20, Mooker Nallamuthu Street
Chennai - 600 001.

And also carries on business at
No.67, Bazullah Road
T.Nagar, Chennai - 600 017.

2.Mr.Anil Jain
No.151, Habibullah Road
T.Nagar
Chennai - 600 017.

...Defendants

This Civil Suit is preferred, under Order IV Rule 1 of Original Side Rules read with Order VII Rule 1 of CPC praying to

a) direct the first and second defendants to jointly and severally pay to the plaintiff a sum of Rs.1,89,92,816/- (Rupees One Crore Eighty Nine Lakhs Ninety Two Thousand Eight Hundred and Sixteen Only) together with

the interest at 12% per annum on Rs.1,05,00,000/- (Rupees One Crore Five Lakhs only) from the date of the plaint till date of recovery.

b) direct the first and second defendants to jointly and severally pay to the plaintiff the costs of this suit; and

c) for such further or other reliefs as this Hon'ble Court may deem fit and proper in the circumstance of the case and thus render justice.

For Plaintiff : Mr.S.Raghunathan

For Defendants : Ms.Aishwarya S.Nathan
for M/s.Srinath & Sridevan

JUDGMENT

There is a sole plaintiff and there are two defendants.

2. Mr.S.Ragunathan, learned counsel on record for sole plaintiff and Ms.Aishwarya S Nathan, learned counsel representing the counsel on record for both the defendants are before this Commercial Division.

3. Both the learned counsel submit that the entire suit claim has been settled out of Court amicably between the parties. Reiterating the above, learned counsel on record for plaintiff has made an endorsement in the suit file which reads as follows:

'The claim in the suit file has been settled out of Court.

The plaintiff prays that the suit may be dismissed as settled out of Court. Refund of the entire Court fee paid on the

plaint may be directed to made in favour of the plaintiff under Section 69 of the Tamil Nadu Court Fess and Suit Valuation Act, 1955 since evidence has not been recorded on the merits of the claim.

-Sd/-

Counsel for plaintiff

20/12/2018.'

4. In the light of the aforesaid endorsement and reiteration of the same, this suit is dismissed as settled out of Court. Registry to process refund of full amount of all Court fees paid in accordance with Section 69 of Tamil Nadu Court Fees and Suits Valuation Act, 1955, as the suit is being dismissed as settled out of Court. The refund shall be by way of an instrument in favour of the plaintiff. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

सत्यमेव जयते

20.12.2018

WEB COPY

Speaking Order/Non-Speaking Order

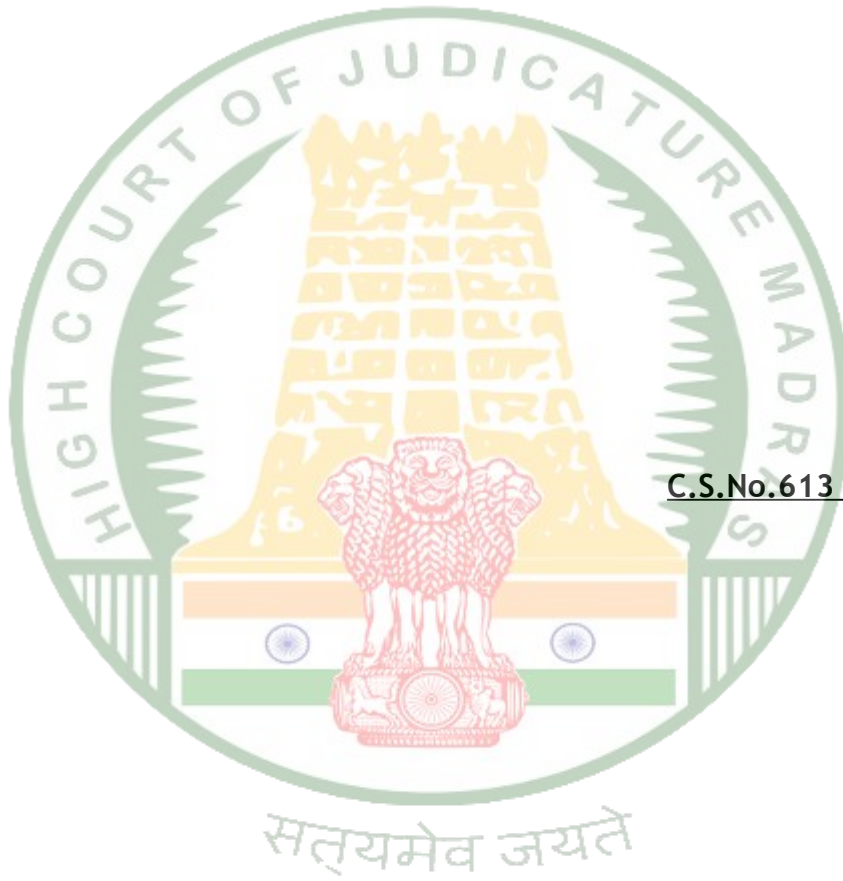
Index : Yes/No

Internet: Yes/No

vsm

M.SUNDAR.J.,

vsm



C.S.No.613 of 2014

WEB COPY

20.12.2018