



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.10.2018

CORAM:

WEB COPY THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA
AND
THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI

W.A(MD)No.552 of 2017
and
C.M.P(MD)No.4602 of 2017

S.Gnanaselvam

... Appellant/Petitioner

Vs.

1.The Union,
Rep. by its Secretary,
Ministry of Finance,
Department of Financial Services,
New Delhi.

2.The Chief General Manager,
State Bank of India,
Local Head Office,
Circle Top House,
16, College Lane,
Chennai.

3.The Branch Manager,
State Bank of India,
Thingal Nagar Branch,
Thingal Nagar,
Neyyoor Post,
Kanyakumari District.

4.The Tahsildar,
Kalkulam Taluk,
Thukkar,
Kanyakumari District.

... Respondents/Respondents

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent against the order, dated 22.03.2017 made in W.P(MD)No.6790 of 2010, on the file of this Court.

For Appellant : Mr.S.Louis

For R - 1 : Mr.C.Nandagopal

For R - 2 : No appearance



For R - 3 : Mr.N.Murugesan
For R - 4 : Mrs.J.Padmaavathi Devi,
Special Government Pleader.

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JUDGMENT

(Judgment of the Court was delivered by
PUSHPA SATHYANARAYANA,J.)

This writ appeal is directed as against the order, dated 22.03.2017 passed in W.P(MD)No.6790 of 2010.

2. Earlier, the matter was referred to the Mediation and Conciliation Centre attached to this Bench.

3. Now, it is stated that the parties have entered into a settlement agreement, which is reduced to writing. The terms of the settlement agreement, dated 03.10.2018 are as follows:

"1.Disputes and differences had arisen between the parties hereto and W.A(MD)No.552 of 2017 was filed on 17.05.2017 before this Court.

2.The matter was referred to Mediation/Conciliation vide an order dated 19.09.2018 passed by the Honourable Mrs.Justice Pushpa Sathyanarayana and the Honourable Mrs.Justice T.Krishnavalli.

3.The parties agreed that Mr.M.M.Iqbal would act as their Mediator.

4.Several meetings were held and during the process of Mediation/Conciliation from 25.09.2018 to 03.10.2018 all the parties have with the assistance of the Mediator voluntarily arrived at an amicable solution resolving the above mentioned disputes and differences.

5.The parties hereto confirm and declare that they have voluntarily and of their own free will arrived at this Settlement Agreement in the presence of the Mediator.

6.The following settlement has been arrived at between the parties hereto:-

i) The appellant has agreed to pay a total amount of Rs.2,00,000/- (Rupees Two Lakhs only) including the principal amount and the interest amount for full and final settlement of the jewel loans, numbering

1.AGL No.33/361, Ac.No.11221828465

2.AGL No.33/415, Ac.No.11221828476

3.AGL No.33/1093, Ac.No.11221828487

ii) The respondent No.3, under instructions from the Regional Manager, has agreed in total to accept the amount of Rs.2,00,000/- (Rupees Two Lakhs only) and release the pledged jewels mentioned above.

iii) On receipt of the final order in W.A(MD)No.552 of 2017, recording the mediation report, the third



respondent Branch shall obtain requisite sanction from the higher authorities and release the jewels immediately on receipt of the amount of Rs.2,00,000/- from the appellant herein. And both parties agree that such exercise shall be completed within a period of one week from receipt of the copy of the order in W.A(MD)No.552 of 2017.

7.By signing this Agreement all the parties hereto state that they have no further claims or demands against each other with respect to W.A(MD)No.552 of 2017 and all disputes and differences in this regard have been amicable settled by the parties hereto through the process of Conciliation/Mediation."

4. The settlement agreement, dated 03.10.2018, filed by the parties, counter-signed by their counsels, is taken on record.

5. In the result, this Civil Miscellaneous Appeal is disposed of in terms of the settlement agreement. The said settlement agreement, dated 03.10.2018, shall form part and parcel of the Judgment. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

Sub Assistant Registrar(CS-I)

To

1.The Secretary,
Ministry of Finance,
Department of Financial Services,
New Delhi.

2.The Chief General Manager,
State Bank of India,
Local Head Office,
Circle Top House,
16, College Lane, Chennai.

3.The Branch Manager,
State Bank of India,
Thingal Nagar Branch,
Thingal Nagar,
Kanyakumari District.



4.The Tahsildar,
Kalkulam Taluk,
Thukkar,
Kanyakumari District.

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+1 CC To MR.C.NANDAGOPAL, Advocate SR. NO.89170
+1 CC To MR.N.MURUGESAN, Advocate SR. NO.89098
+1 CC To MR.S.LOUIS, Advocate SR. NO. 89252
+1 CC TO The Special Government Pleader SR.NO. 89436

W.A (MD) No.552 of 2017
08.10.2018

PS
TR/RSK/SAR-I (10.10.2018) 4P 9C