

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.08.2019

CORAM :

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN
and
THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

A.S.No.394 of 2015
and
C.M.P.No.13916 of 2019

Toll [India] Logistics Pvt Ltd.,
Represented by Director
Juzar Mustan
No.9A, Puzhal Ambattur Road,
Puzhal, Chennai - 600 066.
... Appellant/Defendant

Vs

Sundaram Finance Ltd.,
Rep. by its Key Business Head
Shaju Madhavan
21, Pattullos Road, Chennai 600 002.

(Name substituted vide order of Court
dated 17.07.2019 in C.M.P.No.13918
of 2019 in A.S.No.394 of 2015)

...Respondent/Plaintiff

PRAYER : Appeal Suit filed under Rule 1 of Civil Procedure Code read with 41-A Rule 1 of Civil Procedure Code and Section 96 of Civil Procedure Code against the Judgment and Decree dated 30.04.2014 passed in O.S.No.10823 of 2010 on the file of VI Additional City Civil Court, Chennai.

For Appellant : Mr.S.Raghavan
For Respondent : Mr.Sampath

J U D G M E N T

(Judgment of the Court was delivered by N.KIRUBAKARAN, J)

The appeal has been preferred against the Judgment and Decree passed by the Trial Court in a suit filed by the respondent/plaintiff .

2.Heard Mr.S.Raghavan, learned Counsel for the appellant and Mr.Sampath, learned Counsel for the respondent.

3.When the matter is called today, both the Counsel for the appellant and respondent would submit that the matter has been settled for a sum of Rs.20,00,000/- payable by the appellant/defendant to the respondent/plaintiff which was already paid by Cheque No.216460 for a sum of Rs.20,00,000/- dated 05.08.2019 drawn on Standard Chartered Bank in favour of Sundaram Finance Ltd., as full and final settlement. The respondent company got amalgamated with Sundaram Finance Ltd., and therefore, payer's cheque has been drawn in the name of Sundaram Finance Ltd., to which both the parties agree.

4.Further, Mrs.V.S.Pradima, Senior Legal Head of the appellant and Mr.M.Madhan, Senior Manager (legal) are present and they stated that the matter has been settled. In this regard, terms of full and final settlement, signed by both the parties dated 20.06.2019 have been filed.

5.In addition to this, a Memorandum of Compromise petition has also been filed by the appellant giving the details of the settlement and it has been numbered as C.M.P.No.13916 of 2019. In view of the payment of Rs.20,00,000/- towards final settlement, nothing survives in this appeal suit.

6.In view of the above, this Appeal Suit is disposed of in terms of Memorandum of Compromise. The Memorandum of Compromise shall form part of the Decree and Judgment. Since the matter has been settled by the parties, 50% of the Court-fee paid shall be refunded to the appellant. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

सत्यमेव जयते
Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

ay

To

1.The VI Additional City Civil Court,
Chennai.

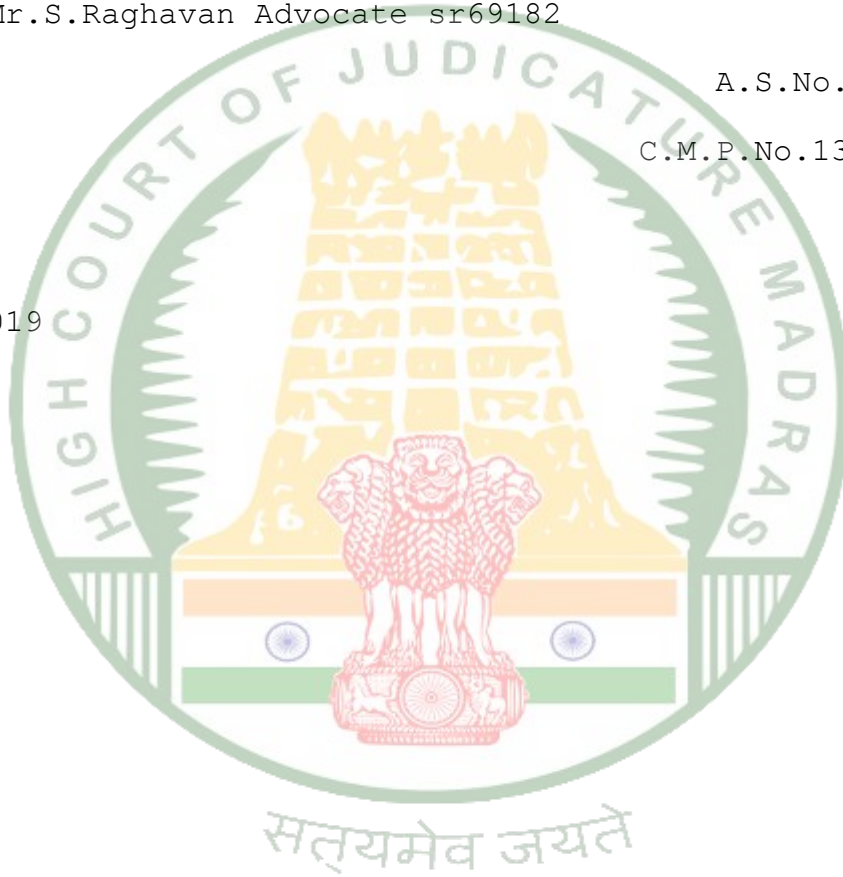
2.The Section Officer
VR Section
High Court
Madras

+1 cc to M/s.S.Suresh Advocate sr69305

+1 cc to Mr.S.Raghavan Advocate sr69182

A.S.No.394 of 2015
and
C.M.P.No.13916 of 2019

sr(co)
aa03/12/2019



WEB COPY