

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2019

CORAM :

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

O.S.A.No.16 of 2019
and
C.M.P.No.955 of 2019

Giridharlal Chandak & Brothers (HUF),
Rep.by its Kartha,
Mr.Yogendra Chandak,
Carrying on business at
No.35, Anna Salai,
Chennai 600 002.

Present Address

Giridharlal Chandak & Brothers (HUF),
Rep.by its Kartha,
Mr.Yogendra Chandak,
Carrying on business at
No.66, G.N.Chetty Road,
T.Nagar, Chennai 600 017.

... Appellant

Vs

1.Mr.S.Mehdi Ispahani
2.Mr.S.Ali Ispahani
3.Mr.S.Mohamed Ispahani

... Respondents

PRAYER : Original Side Appeal filed under Clause 15 of the Letters Patent and Order XXXVI Rule 2 of the Original Side Rules against the Judgment and Decretal order dated 01.11.2018 passed in C.S.No.285 of 2006.

For Appellant : Mr.AR.L.Sundaresan,
Senior Counsel
for M/s.A.L.Ganthimathi
For Respondents: Mr.R.Balachander.

J U D G M E N T

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

The appeal has been preferred by the defendants aggrieved over the decree and Judgment passed for a sum of Rs.87,56,724/- in a suit filed by the respondents for recovery of money.

2.The respondents filed a suit for recovery of money for a sum of Rs.87,56,724/-. On contest, the said suit was decreed against which the present appeal has been filed.

3.When the matter is called today, Mr.AR.L.Sundaresan, learned Senior Counsel for the appellant and Mr.R.Balachander, learned Counsel for the respondent would submit that the matter has been settled. The appellant finally agreed to pay a sum of Rs.31,00,000/- which includes the Court-fee of Rs.1,00,000/-. Totally, a sum of Rs.31,00,000/- has been paid.

4.It is stated by both the counsel that earlier, a sum of Rs.87,56,724/- has been paid. Subsequently a sum of Rs.15,00,000/- has been paid and thereafter, finally as agreed by the parties a sum of Rs.30,00,000/- towards decree and Judgment and a sum of Rs.1,00,000/- towards Court-fee have been paid. In total, a sum of Rs.1,33,56,724/- has been paid towards full and final settlement as per the decree passed by the learned Single Judge.

5.Since, both the Counsel would submit that the amount has been paid, this Appeal is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(Insp.Cell)

//True Copy//

Sub Assistant Registrar

ay

To

The Sub-Assistant Registrar (O.S.),
High Court of Madras,
Chennai.

+1cc to M/s.AL.Gandhimathi, Advocate sr.75013

+1cc to Mr.R.Balachander, Advocate sr.74548

O.S.A.No.16 of 2019

and

C.M.P.No.955 of 2019

ssv(co)

nr 12/11/2019