HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
Lok Adalat-II organised by the High Court Legal Services Committee
Thursday, the 28th day of March 2019
LOK ADALAT AWARD
(Chapter VI and u/s 21 of Legal Services Authorities Act, 1987)

Presided over by
The Hon'ble Mr.JUSTICE S.K.KRISHNAN (Retd.)
and

Members

Mr.S.Manokaran
Ms.G.Sasee Dhevi

C.S.No.160 of 2007 and Tr.C.S.No.119 of 2012 and Tr.C.S.Nos.350 & 351 of 2012 and A.No.335 of 2011 and A.No.5420 of 2010

Prayer in C.S.No.160 of 2007 : Civil Suit filed to pass a judgment and decree against the defendant for a sum of Rs.1,95,01,718/- together with future interest at 18% p.a. from the date of filing suit till the date of realisation and to direct the defendant to pay costs of the suit.

M/s Steel Authority of India Limited,
rep.by its Branch Manager,
Ispat Bhavan,
No.5, Kodambakkam High Road,
Chennai - 600 034.
.. Plaintiff in C.S.No.160 of 2007

Vs.

M/s Tamilnadu Steel Tubes Limited,
Registered Office "Hindustan Chamber of Commerce Building"
No.15, Kondy Chetty Street,
Chennai - 600 001.
.. Defendant in C.S.No.160 of 2007

Prayer in Tr.C.S.No.119 of 2012 :- This Transfer Civil Suit filed to pass a judgment and decree against the defendant for a sum of Rs.10,75,031/- together with future interest @ 24% p.a. from the date of filing suit till date of realisation and to direct the defendant to pay costs of the suit.

M/s Steel Authority of India Limited,
rep. by its Branch Manager,
Ispat Bhavan,
No.2, Kodambakkam High Road,
Chennai - 600 034.

.. Plaintiff in Tr.C.S.No.119 of 2012

Vs.

M/s Tamilnadu Streel Tubes Limited,
Regd. Office No.15/7A, Sunkurama Street,
Chennai - 600 001.

.. Defendant in Tr.C.S.No.119 of 2012

Prayer in Tr.C.S.No.350 of 2012 : This Transfer Civil Suit filed to pass a judgment and decree against the defendant for a sum of Rs.24,02,539.10 together with future interest @ 24% p.a. on Rs.24,02,539.10 from 30.11.2003 till date of realisation and to direct the defendants to pay costs of the suit.

M/s Steel Authority of India Limited,
rep. by its Branch Manager,
Ispat Bhavan,
No.2, Kodambakkam High Road,
Chennai - 600 034.

.. Plaintiff in Tr.C.S.No.350 of 2012

Vs.

M/s Tamilnadu Steel Tubes Limited,
Regd. Off. 7A, Sunkurama Street,
Chennai - 600 001.

.. Defendant in Tr.C.S.No.350 of 2012

Prayer in Tr.C.S.No.351 of 2012 : This Transfer Civil Suit filed prays for a judgment and decree directing the defendant to pay the sum of Rs.16,84,892/- together with future interest @ 18% p.a. from the date of plaint till the date of realisation and to pay costs of the suits.

M/s Steel Authority of India Limited,
(A Govt. of India Enterprises,
Central Marketing Organisation,
rep. by its Branch Manager,
Ispat Bhavan,
No.2, Kodambakkam High Road,
Chennai - 600 034.

.. Plaintiff in Tr.C.S.No.351 of 2012

Vs.

M/s Tamilnadu Steel Tubes Limited,
rep. by its Managing Director,
No.7-A, Sunkurama Street,
Chennai - 600 001.

.. Defendants in Tr.C.S.No.351 of 2012

These cases came up for settlement before the Lok Adalat. Both the parties are present.

Mr.S.Sivasankar, the learned counsel for the plaintiff and Mr.P.R.Shankar, the learned counsel for the defendant are present in all the suits.

TERMS OF SETTLEMENT

The above suits have been filed by the Steel Authority of India against the Tamilnadu Steel Tubes Limited, for the recovery of amount due from the defendant. The said suits have been filed by the plaintiff against the defendant for recovery of money due to the business transactions between the parties. For the recovery of sales tax dues from the defendant, the plaintiff filed four suits viz., C.S.No.983 of 2001, C.S.No.467 of 2004, C.S.No.676 of 2004 and C.S.No.160 of 2007 before the Hon'ble High Court. When the suits were pending thereon due to the pecuniary jurisdiction, the three suits, viz., C.S.No.983 of 2001, C.S.No.467 of 2004, C.S.No.676 of 2004 were transferred to the Fast Track Court, Chennai. At this stage, the parties to the proceedings settled their sales tax disputes as on 31.03.2011 in all the four suits based on the direction given by the Hon'ble Board for Industrial Finance and Reconstruction, New Delhi (BIFR) they entered into compromise. As a result of that, both parties represented before the High Court that they want to compromise in all the above mentioned four suits and settle the dispute. Taking into consideration of the said statement stated by both the parties, the three suits which were subsequently transferred to the City Civil Court numbered as O.S.No.7454 of 2010, O.S.No.10041 of 2010 and O.S.No.11296 of 2010 and subsequently transferred again to Hon'ble High Court and numbered as Tr.C.S.No.119 of 2012, Tr.C.S.No.350 of 2012, Tr.C.S.No.351 of 2012 for disposal. At this stage, the plaintiff as well as the defendant represented before the Hon'ble High Court that they want to settle the matter amicably by way of filing a compromise memo. Taking into consideration of the statement of the parties, the learned Judge of the High Court thereafter referred the matter to the Lok Adalat for effecting compromise between the parties. Subsequently all the four suits, viz., C.S.No.160 of 2007, Tr.C.S.No.119 of 2012, Tr.C.S.Nos.350 of 2012 and Tr.C.S.No.351 of 2012 stated above were transferred to this Forum for disposal.

2.When these cases are being taken up today, the learned counsel appearing for the plaintiff as well as the learned counsel appearing for the defendant stated that they have already settled their sales tax disputes as on 31.03.2011 and filed a compromise memo for arriving at a settlement between the parties. Whatever the dues available to be paid to the plaintiff by the defendant, the defendants have paid the entire amount to the plaintiff. The plaintiff also has stated that there were no dues from the defendant. Both counsels represented before this forum that in these circumstances, the suits filed by the plaintiffs can be disposed of.

3. The common memorandum of compromise filed by the parties is recorded. A perusal of the compromise memo filed by the parties, in paragraph 4 to 7 terms and conditions referred thereon shall have effect between the parties.

4. Taking into consideration the compromise effected between the plaintiff and defendants, the four suits stated above are being disposed of, since the matters are being compromised between the parties. The aforesaid compromise memo shall form

part of the decree. Consequently connected applications are closed.

5. The full Court fee paid shall be refunded to the plaintiff in all the four suits in the manner provided under Section 69-A of the Tamil Nadu Court-Fees and Suits Valuation Act, 1955 and the Court Fees Act, 1870 as provided for under sub Sec.1 of Section 21 r/w 25 of LSA Act 1987 as amended in 1994 and there shall be no demand for additional Court fee.

M/s Steel Authority of India Limited,
rep.by its Branch Manager,
Ispat Bhavan,
No.5, Kodambakkam High Road,
Chennai - 600 034.

Counsel for the Plaintiff in all suits

M/s Tamilnadu Steel Tubes Limited,
Registered Office "Hindustan Chamber of Commerce Building"
No.15, Kondy Chetty Street,
Chennai - 600 001.

Counsel for the defendant in all suits

Sd-
Judge

Sd/-
Member

Sd/-
Member

Sd/-
Assistant Registrar(LA)

// The Certified to be true copy//

Sub Assistant Registrar(OS)

To:The parties/Advocate concerned

Copy to:

1.The Secretary,
High Court Legal Services Committee,
Chennai.

2.The Section Officer,
V.R.Section,
High Court, Madras.

3.The Section Officer,
Lok Adalat Section,
High Court, Madras.+2 copies

4.The Record Keeper,
Original Side,
High Court, Madras

S.K.KRISHNAN, J. (Retd.)
adl

C.S.No.160 of 2007 and Tr.C.S.No.119 of 2012 and
Tr.C.S.Nos.350 & 351 of 2012 and
A.No.335 of 2011 and A.No.5420 of 2010

28.03.2019