

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE S.VAIDYANATHAN

Civil Suit No.639 of 2014

M/s.Bala Murugan Chemical Pvt. Ltd.,
Through its Manager,
S.Senthil Arumugam,
Having Office at BMC House,
No.32-2, Halls Road,
Egmore, Chennai 600 008.

... Plaintiff

Vs.

1. Union Bank of India,
Through its Chief Manager,
Having Office at,
Elcanso Building,
No.9, Casa Major Road,
Egmore, Chennai 600 008.
2. Union Bank of India,
Through Deputy General Manager,
Union Bank Bavan,
Second Floor, 139, Broadway,
Prakasam Road,
Chennai 600 108.

... Defendants

Plaint filed under Order IV Rule 1 of the O.S. Rules read with Order VII
Rule I of C.P.C.

For Plaintiff : Mr.G.Krishnakumar

For Defendants : Mr.Muthuperiasamy

J U D G M E N T

This Civil Suit has been filed by the Plaintiff seeking for the following reliefs:

(i) directing the Defendants 1 and 2 to pay a sum of Rs.20,00,00,000/- towards damages to the Plaintiff together with interest @ 12% per annum from the date of the plaint till the date of realization;

(ii) directing the 1st and 2nd Defendants to pay the cost of this Suit;

2. Today, when the matter is taken up for hearing, learned counsel for the parties submitted that the matter has been settled before the Mediation and Conciliation Centre attached to this Court, by way of a Settlement Agreement dated 10.04.2019 vide Mediation File No.316/2019. For better appreciation, the Memo dated 10.04.2019 filed by the Defendants is extracted hereunder:

"It is submitted on behalf of both the Defendants as follows:

(i) The Defendants learn that the Plaintiff has filed a Memo for withdrawing the titled Suit against the Defendants. The Account stands since transferred to ARB, UBI, Chennai.

(ii) Since the dues payable to the Defendants by the Plaintiff have been paid in full as of 20.03.2015 and the Plaintiff has given up its prayer

against the Defendants in the titled Suit, the Defendants do not have any objection in the withdrawal of the titled suit."

3. Recording the same, this Civil Suit is decreed in terms of the Settlement Agreement dated 10.04.2019 entered into between the parties before the Mediation and Conciliation Centre attached to this Court. The Settlement Agreement dated 10.04.2019 shall form part of the Decree. No costs. Consequently, connected O.A.No.882 of 2014 and Application No.6263 of 2014 are closed. Refund of Full Court Fee to the Plaintiff, as permissible under Rules, is ordered.

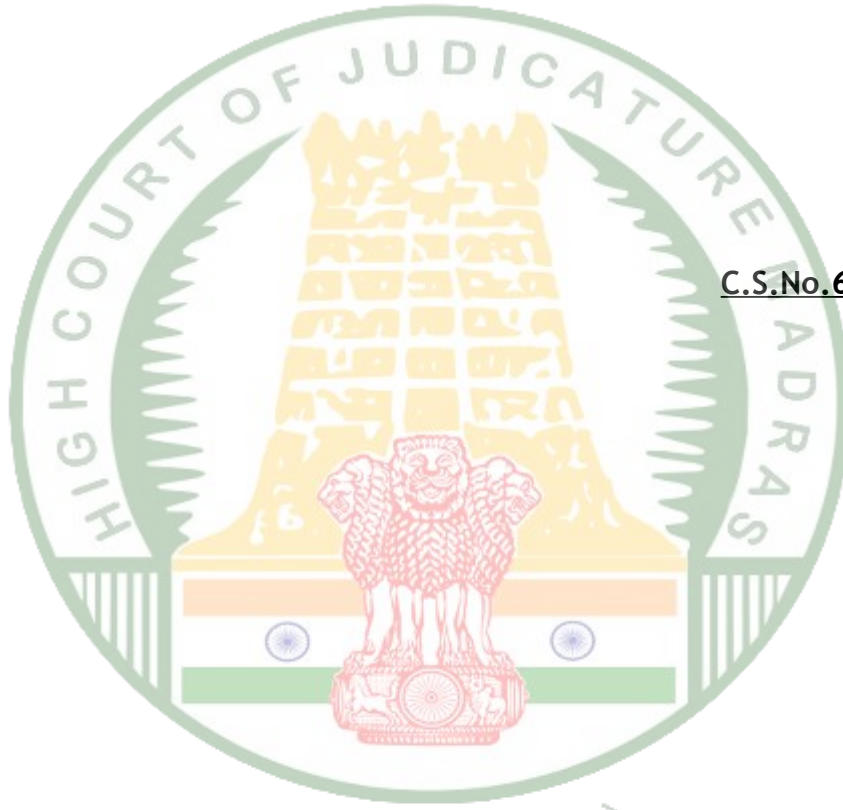
Index : Yes/No
Speaking Order : Yes/No

(aeb)

12.04.2019

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S.VAIDYANATHAN,J.



C.S.No.639 of 2014

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