

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 17.12.2019

CORAM:

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

C.S.No.351 of 2017

M/s.Olympia Opaline Flat Owners Association(OOAA),
Represented by its Joint Secretary, Vinod B.Cola,
having its office at Amethyst Stilt,
Olympia Opaline, Phase 1, OMR, Navalur,
Chennai Tamilnadu-603 103. .. Plaintiff

/versus/

Olympia Infratech, a Unit of
Olympia Tech Park (Chennai) Private Limited,
having its registered office at
1, Sidco Industrial Estate,
Guindy, Chennai-600 032. .. Defendant

This Civil Suit is filed under Order IV Rule 1 of Madras High Court Original Side Rule, 1956 read with Order VII Rule 1 of Code of the Civil Procedure Code and Order IV Rule 1 of Original Side Rules read with Order VII Rule 1 of CPC r/w Section 60 of the Transfer of property Act, 1882 prayed for (a) May be pleased to pass a Judgment and decree for recovery of Rs.25,27,84,630/- along with interest @ 18% per annum till the date of realization of amount along with cost of this suit, be passed in favour of plaintiff and against the defendant.

For plaintiff	: Mr.Vaibhav R Venkatesh
For Defendant	: Mr.Jayaprakash Padmanaban

JUDGMENT

The learned counsel for the plaintiff seeks permission of this Court to withdraw the civil suit and has also made an endorsement to that effect.

2. In view of the submission and endorsement made by the learned counsel for the plaintiff, this Civil Suit stands dismissed as withdrawn, in the light of the order passed in O.S.A.No.292 of 2018 dated 30.04.2019. The Division Bench in its judgment at paragraph No.4 has stated below:

“4.This Original side Appeal is disposed of. Office is directed to refund the Court fee paid by the appellant, as they are entitled to it.”

Accordingly, the plaintiff is entitled for refund of Court fee as per law.

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Speaking Order / Non-Speaking Order

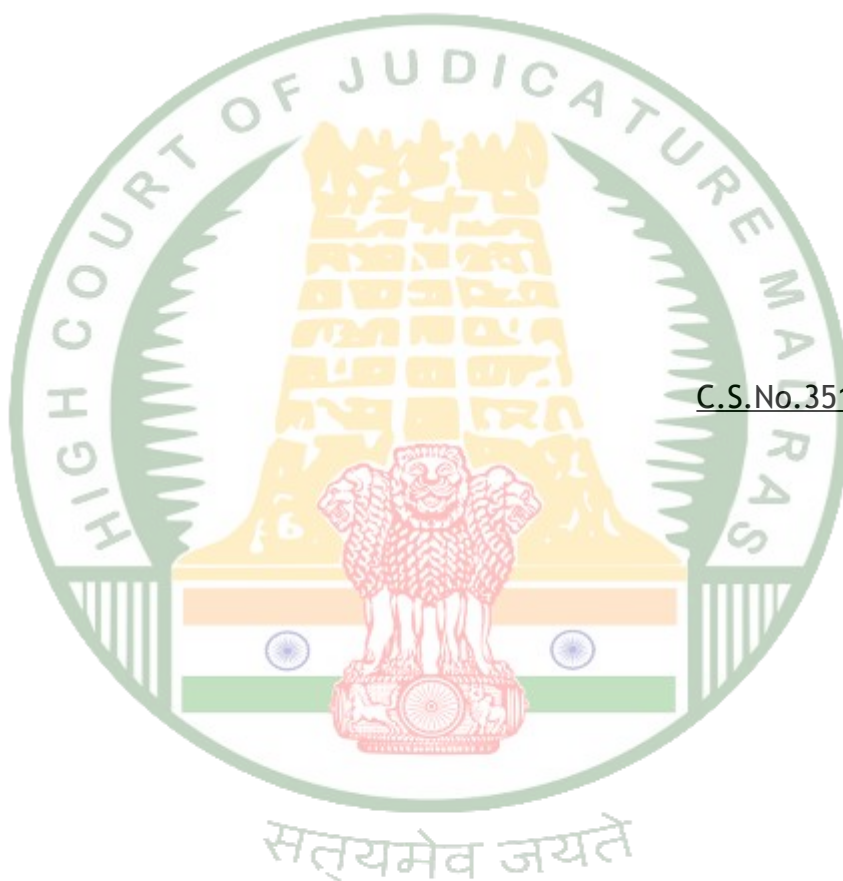
Index : yes/no

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Dr.G.JAYACHANDRAN,J.

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