

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 22.03.2019

CORAM

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

CMA.No.29 of 2017

&

CMP.No.251 of 2017

M/s. Maya Constructions
represented by its Managing
Partner Mr.G.Vallikannu
No.3, G.S.V.Garden,
Dr. Muthusamy Nagar East
Extension, Behind Sungam-Chinthamani,
Ramanathapuram,
Coimbatore -45.Appellant

-VS-

Annai Builders Real Estates Private
Limited, Alpha Centre, 4th Floor,
No.150 & 151, North Usman Road,
T.Nagar, Chennai-17.Respondent

Prayer: Civil Miscellaneous Appeal filed under Section 37
of Arbitration and Conciliation Act praying to set aside the
order dated 22.12.2016 passed in Application No.2 of 2016 in
Arbitration case No.5 of 2016 by the Sole Arbitrator by allowing
the Civil Miscellaneous Appeal.

For Petitioner : Mr. T.S.Baskaran

For Respondent : Mr.K. Rajasekaran

JUDGMENT

The parties have entered into a compromise and filed a Joint
Memo of Compromise dated 16.2.2018. The Joint Memo of
Compromise dated 16.2.2018 is taken on record.

2. Pursuant to a Joint Memo of Compromise, the appellant has
complied with the terms and conditions of Joint Compromise Memo
and filed a compliance Memo dated 22.3.2019. The compliance
memo is also taken on record

3. Since the parties have settled the dispute, the entries made in the Sub Registrar Office, Madhukarai, Sub Registrar Office, Vedapatti on the basis of the notice issued by the parties shall not survive. Therefore the encumbrances entered at the instance of the present parties in the Sub Registrar Office, Madhukarai and Sub Registrar Office, Vedapatti are directed to be removed from the Registers.

4. The Civil Miscellaneous Appeal is decreed in terms of Joint Memo of Compromise dated 16.2.2018 with the above direction. The Joint Memo of Compromise dated 16.2.2018 is treated as part and parcel of the order. No costs. Consequently, connected CMP.No.251 of 2017 is closed.

* Joint memo of Compromise is enclosed herewith

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To
The Arbitral Tribunal,
Chennai.

2. The Sub Registrar,
Madhukarai.

3.The Sub-Registrar,
Vedapatti.

+1cc to Mr.T.S.Baskaran, Advocate, SR.No.27730
+1cc to Mr.K.Rajasekaran, Advocate, SR.No.27761

सत्यमेव जयते

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Kak(16/07/2019)

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