

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

C.S.No. 636 of 2017

1.M/s.Pothys, a Partnership firm,
Rep. By its Managing Partner, Mr.S.Ramesh,
2.S.Ramesh ..Plaintiffs

Vs.

1.M/s. Ceedeyes Standard Towers Private Limited,
Rep. By its Chairman, Mr.C.Devadasa Sundaram,
2.Mr.C.Devadasa Sundaram ...Defendants

Prayer: Plaint filed under Order VII Rule 1 of Civil Procedure Code r/w. Order IV Rule 1 of Original Side Rules praying as follows:

i) Directing the defendants jointly and severally to pay the plaintiffs a sum of Rs.3,91,88,493/-, together with interest at the rate of 18% p.a., on Rs.2,00,00,000/- from the date of plaint till the date of realization in full.

ii) Directing the defendants jointly and severally to pay the plaintiffs the entire cost of the above suit.

For Plaintiffs : Mr.E.Om Prakash, Senior Counsel for
M/s.Ramalingam & Associates,
Advocates

For Defendants : Mr.A.Tiyagarajan
Senior Counsel for Mr.N.Prem Kumar

ORDER

Plaint filed under Order VII Rule 1 of Civil Procedure Code r/w. Order IV Rule 1 of Original Side Rules praying as follows:

i) Directing the defendants jointly and severally to pay the plaintiffs a sum of Rs.3,91,88,493/-, together with interest at the rate of 18% p.a., on Rs.2,00,00,000/- from the date of plaint till the date of realization in full.

ii) Directing the defendants jointly and severally to pay the plaintiffs the entire cost of the above suit.

2. The suit has been filed for recovery of sum of Rs.3,91,88,493/-. There is a counter claim for a sum of Rs.10,00,00,000/-.

3. Pending the above suit as well as the counter claim, the parties have entered into compromise. The memorandum of compromise signed by the parties and their respective counsels has been filed. As per the memorandum of compromise, the plaintiffs have given up their entire claim and have also paid a sum of Rs.1,00,00,000/- (One Crore Only) towards the full and final settlement of claim made in the counter claim. Hence, the suit is disposed of in terms of the memorandum of compromise. Memorandum of compromise shall form in part of the decree.

4. Now, that the suit has been settled out of the Court before trial. The Court fee paid on the plaint as well as the counter claim is directed to be refunded in terms of Section 69 of Tamil Nadu Court Fee and Suit Valuation Act by issue of cheque in the name of the counsels for the parties.

Sd./-R.S.M.J
10.04.2019

//Certified to be true copy//
Dated at Madras this the day of 2019.

JJ 04/07/2019

COURT OFFICER(O.S.)

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