

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.08.2019

CORAM :

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN
and
THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

O.S.A.No.449 of 2018
and
C.M.P.No.20584 of 2018

M/s.Chemplast Sanmar Ltd.,
No.9, Cathedral Road,
Gopalapuram,
Chennai - 600 086
Rep. by its Secretary

... Appellant/Defendant

Vs

M/s.Shango Technologies Private Ltd.,
D-2, Kothari Vatika, No.10,
East Mada Street,
Chennai - 600 041
represented by its Director
Dr.H.S.Gopala Krishna Murthy

...Respondent/Plaintiff

PRAYER : Original Side Appeal filed under Clause 15 of the Letters Patent and Order XXXVI Rule 1 of the Original Side Rules against the Judgment and Decree dated 06.04.2018 passed in C.S.No.686 of 2011 to set aside the same.

For Appellant : Mr.Vijay Narayanan SC for
Mr.B.Giridhara Rao

For Respondent : Mr.P.Giridharan

J U D G M E N T

(Judgment of the Court was delivered by N.KIRUBAKARAN, J)

The appeal has been preferred by the defendant against the Decree and Judgment passed by the learned Single Judge to the tune of Rs.26,95,920/- with interest.

2.Heard Mr.B.Giridhara Rao, learned Counsel for the appellant and Mr.P.Giridharan, learned Counsel for the respondent.

3.When the matter is called today, both the Counsel would submit that the matter has been settled out of Court and in this regard, a Memorandum of Compromise dated 09.08.2019, signed by both the parties counter signed by both the Counsel has been filed.

4.A perusal of the Memorandum of Compromise would reveal that a sum of Rs.30,00,000/- is agreed by both the parties as full and final settlement towards the Decree and Judgment payable to the respondent/plaintiff. The said amount is also said to have been paid through Demand Draft drawn in favour of the respondent dated 06.08.2019 bearing No.808448 issued by Lakshmi Vilas Bank. The amount of Rs.21,99,834/- which was directed to be deposited by the appellant has already been deposited and both the parties agreed that the said amount could be withdrawn by the appellant.

5.In view of the above, the appeal is disposed of in terms of Memorandum of Compromise. Since the matter has been settled by the parties, 50% of the Court-fee paid shall be refunded to the appellant. No costs. Consequently, connected miscellaneous petition is closed.

*The Xerox Copy of the Memorandum of Compromise enclosed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

ay
To

The Sub-Assistant Registrar (O.S.),
High Court of Madras, Chennai.

+1cc to Mr.B.Giridhara Rao, Advocate Sr.69463

O.S.A.No.449 of 2018
and
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srg 10/10/2019