

IN THE sHIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.06.2019

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

C.S.No. 776 of 2018

1.Mr.Avali Srinivasan

2.Mr.Narasimhan Srinivasan

..Plaintiffs

Vs.

1.Mr.Ahamed Zainul Arif

2.Mr.P.Killivalavan

..Defendants

Prayer: Plaint filed under Order IV Rule 1 of Original Side rules r/w. Order VII Rule 1 C.P.C, praying as follows:

a) Directing the Defendants to quit and deliver vacant possession of the Plaint Schedule Property to the Plaintiffs in the same condition in which it was let out to them;

b) Directing the defendants to jointly and severally pay the plaintiffs a sum of Rs.5,55,978/- towards arrears of rent and maintenance charges for the period up to 31.07.2018 and for interest o Rs.5,55,978/- @ 12% per annum from date of plaint till realization.

c) Direct the defendants to jointly and severally pay the plaintiff a sum of Rs.1,00,000/- towards mesne profits for the period of 03.08.2018 till the date of plaint and ascertain the future mesne profits of the property from the date of suit till date of delivery of possession by appointing an Advocate Commissioner under Order 20 Rule 12 of CPC;

d) Directing the defendants to pay the plaintiffs the costs of this suit.

For Plaintiffs : Mr.N.Arul Kumar
For 2nd Defendant : Mr.S.Kasirajan

ORDER

Plaint filed under Order IV Rule 1 of Original Side rules r/w. Order VII Rule

1 C.P.C, praying as follows:

a) Directing the Defendants to quit and deliver vacant possession of the Plaintiff Schedule Property to the Plaintiffs in the same condition in which it was let out to them;

b) Directing the defendants to jointly and severally pay the plaintiffs a sum of Rs.5,55,978/- towards arrears of rent and maintenance charges for the period up to 31.07.2018 and for interest of Rs.5,55,978/- @ 12% per annum from date of plaint till realization.

c) Direct the defendants to jointly and severally pay the plaintiff a sum of Rs.1,00,000/- towards mesne profits for the period of 03.08.2018 till the date of plaint and ascertain the future mesne profits of the property from the date of suit till date of delivery of possession by appointing an Advocate Commissioner under Order 20 Rule 12 of CPC;

d) Directing the defendants to pay the plaintiffs the costs of this suit.

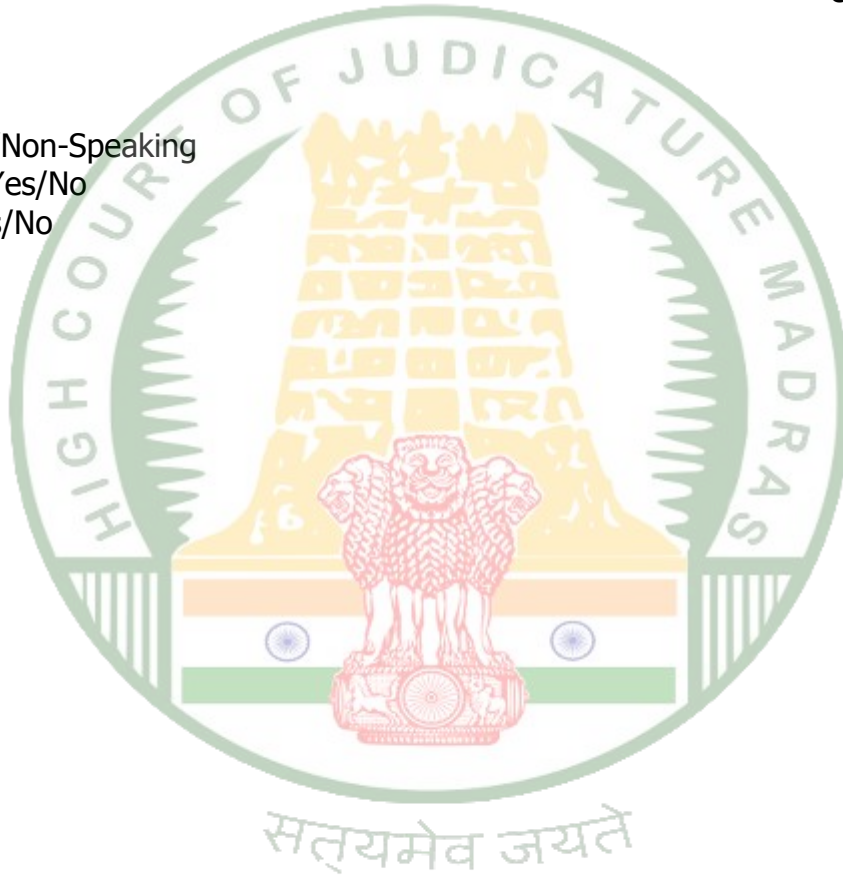
2. Both the counsels would submit that the terms of Mediation Agreement dated 04.04.2019 have been fully complied. The same is recorded and the suit is dismissed as settled out of the Court. No costs. Consequently, all connected applications are closed.

3. In view of the settlement arrived at before the Mediation Centre, the Registry is directed to refund the entire Court fee paid on the plaint to the plaintiff.

03.06.2019

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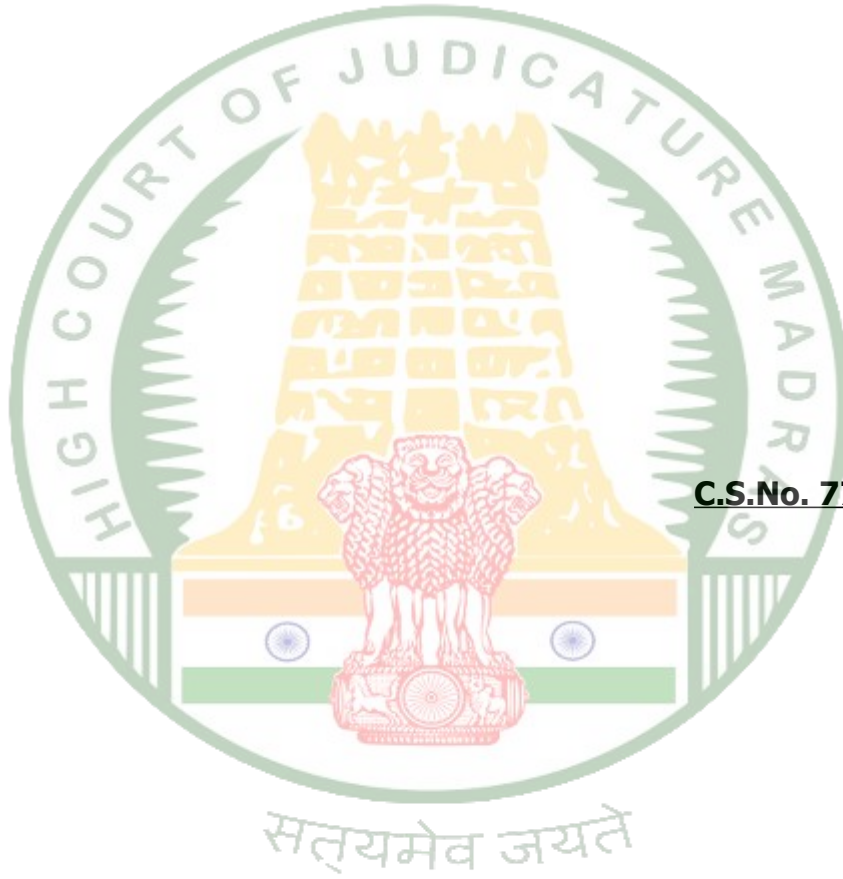
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R.SUBRAMANIAN, J.

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