



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.02.2021

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

C.M.A.Nos.307 & 308 of 2006

C.M.P.Nos.983 & 984 of 2006

1. M/s.Woodbriar Estate Limited

...1st Appellant in CMA 307/2006 &
Sole Appellant in CMA 308/2006

2. Ms.Subhashinee

...2nd Appellant in C.M.A.No.307 of 2006

vs.

V.N.A.S.Chandran

...Respondent in both Appeals

COMMON PRAYER : Civil Miscellaneous Appeal filed under Section 10F of the Companies Act, 1956, against the order dated 24.11.2005 passed in C.A.Nos.101 & 134 of 2005 in C.P.No.53 of 2004 pending on the file of the Company Law Board, Additional Principal Bench, Chennai.

For Appellants : Mr.M.Senthilkumar
for Mr.Sivam Sivandaraj
(in both Appeals)

For Respondent : Mr.Krishna Srinivasan
for M/s.S.Ramasubramaniam
and Associates
(in both Appeals)

COMMON JUDGEMENT

The learned counsel appearing on behalf of the respondent submitted a letter dated 15.02.2021, which reads as under;

" We appear for the respondents in the above Appeals. A Memo of compromise dated 12.02.2014 was entered into between the parties. The said Compromise was also recorded by the Hon'ble Supreme Court of India in Crl.Appeal Nos.1177 to 1179 of 2005. In terms of Clause - 6 of the said Memo, the aforesaid Appeals are required to be withdrawn. A copy of the Order of Hon'ble Supreme Court dated 13.02.2014 passed in Criminal Appeal



WEB COPY

Nos.1177 to 1179 of 2005 is enclosed herewith. It is therefore requested that the CMA.Nos.307 & 308 of 2006 may kindly be posted before the Court for withdrawal. We are marking a copy of this communication to the learned counsel for the Appellant."

2. Along with the letter, the copy of the Judgment of the Hon'ble Supreme Court of India in Crl.A.Nos.1177 & 1179 of 2005 is filed.

3. Clause 6 of the "Memorandum of Oral family arrangement" referred by the Hon'ble Supreme Court of India reads as under;

" 6. Immediately after withdrawal of Crl.Appeal.Nos.1177 to 1179 of 2005 the parties shall expeditiously take steps for unconditional withdrawal of all cases listed in Schedule 1. The party of the second party shall take all steps to immediately withdraw or cause to be withdrawn all the cases listed in Schedule 2. The parties undertake to work together if required to required to unconditionally withdraw all the cases specified in Schedule 1 and 2 "

4. It is relevant to extract the concluding paragraph of the Judgment;

" In view of the agreement reached between the parties and "Memorandum of Family Arrangement", learned senior counsel for both the parties requested to dispose of these appeals in terms of the aforesaid settlement. We, accordingly, dispose of these appeals in terms of "Memorandum of Family Arrangement."

5. In view of the Judgment of the Hon'ble Apex Court of India, all these appeals stand dismissed as withdrawn. No costs. Consequently, connected miscellaneous petitions are closed.

s/d-
Assistant Registrar(CS VI)

True Copy

Sub-Assistant Registrar

kmm



To

1. The Company Law Board, Additional Principal Bench,
Chennai.

2. The Section Officer,
V.R.Section,
High Court, Madras.

+1 CC to Mr.S.Ramasubramaniam Associates, Advocate, Sr 11800.

+1 CC to M/s.Sivam Sivanandaraj, Advocate, Sr 12075.

C.M.A.Nos.307 & 308 of 2006
C.M.P.Nos.983 & 984 of 2006

GP(CO)
LS(23/08/2021)