

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.09.2021

CORAM

THE HONOURABLE **MR.JUSTICE N.SESHASAYEE**

C.S.No.217 of 2012
& O.A.No.262 of 2012

S.Premgiri

...Plaintiff

Vs.

1.Gajendran

2.Saroja

3.Vijaya

4.Andal

5.Chengamma

6.Sarala

...Defendants

Prayer: The Civil Suit has been filed under Order IV Rule 1 of the Original Side Rules read with Order VII Rule 1 and 2 and Order XXXIV of C.P.C praying to pass a decree and judgment against the defendants 1 to 5.

(a) directing the defendants 1 to 5 to pay to the plaintiff the suit sum of Rs.28,95,000/- together with further interest on Rs.10,00,000/- at the rate of 18% p.a. From the date of plaint till the date of realization within such time as may be prescribed by this Court for payment.

(b) in default of such payment, for sale of the suit property and foreclosure of the equitable mortgage for the amounts due and payable after defraying the expenses for such sale. .

(c)directing the defendants 1 to 5 to pay the balance amount due and payable, in the event of such proceeds of sale are found to be insufficient, calculated till the date of realization and for costs.

For Plaintiff : Mr. K.Bijai Sundar

For Defendants : Mr.B.Jayaraman for (D1-D2 & D4)

JUDGMENT

(This case has been heard through video conference)

The plaintiff submits that the suit is settled out of Court and Memo to that effect dated 21.09.2021 has been filed.

2.The Memo filed by the plaintiff stated that the above suit has been amicably settled out of Court between the parties and he does not want to prosecute the Civil Suit further.

3.The Memo filed by the plaintiff dated 21.09.2021 has been recorded and taken on file.

4.This Civil Suit stands dismissed as settled out of Court accordingly. The Registry is directed to refund the Court fee as per law. Consequently, the connected original application is also dismissed. No costs.

27.09.2021

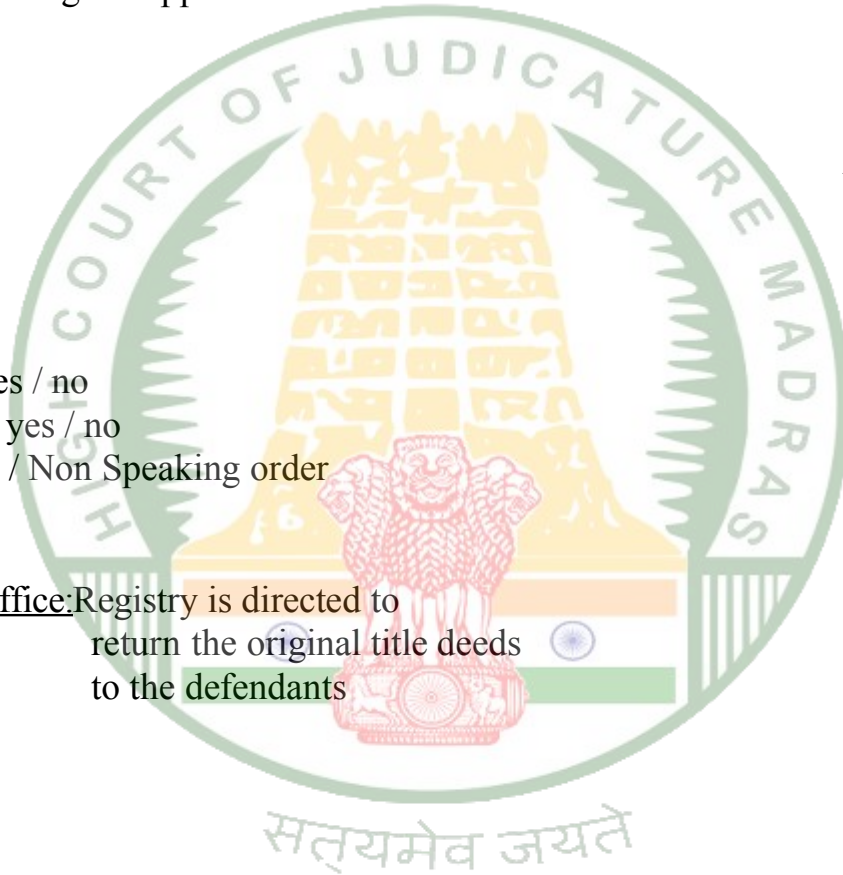
kas / dk

Index : yes / no

Internet : yes / no

Speaking / Non Speaking order

Note to office:Registry is directed to
return the original title deeds
to the defendants



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N.SESHASAYEE, J.

kas / dk



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