



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

THURSDAY, THE 08th DAY OF APRIL 2021

THE HON'BLE MR. JUSTICE N.SESHASAYEE

C.S.No.628 of 2015

Mrs.Geetha Sarangarajan,
W/o Late Mr.Sarangarajan,
Presently residing at No.G-2, Shilpa Residency,
4th Block, 14th Main (E),
Jaya Nagar,
Bangalore – 560 011.

: Plaintiff

Vs

K.R.Ashok,
No.4/7, Lakshmipuram Main Street,
Royapettah,
Chennai – 600 014.

: Defendant

Civil Suit praying that this Hon'ble Court be pleased to pass a judgment and decree:

A.directing the defendant to hand over vacant possession of the schedule mentioned property and on his failure to hand over possession, evict the defendant through due process of this Hon'ble Court;

B. directing the defendant to pay a sum of Rs.21,60,000/- (Rupees Twenty One Lakhs Sixty Thousand only) towards past mesne profits from the use and occupation of the schedule mentioned property from 10.07.2012 to 10.07.2015 at the rate of Rs.60,000/- (Rupees Sixty Thousand only) per



mensem;

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C. directing the defendant to pay Rs.60,000/- (Rupees Sixty Thousand only) per mensem or such other sum, as may be determined by this Hon'ble Court, towards future mesne profits from the use and occupation of the schedule mentioned property;

D. direct the defendant to pay to the plaintiff the cost of the suit;

This Suit coming on this day before this court for hearing in the presence of Mr.KMD.Muhilan for Mr.R.Parthasarathy, Advocates for the Plaintiff herein and upon reading the plaint filed herein and the learned counsel for the plaintiff stating that the matter in dispute has been amicably settled between the parties and the plaintiffs is entitled for the refund of the entire court fee and this court doth recording the same, **it is ordered as follows:**

That the suit in C.S.No.628 of 2015, be and is hereby dismissed as settled out of court.

2. That a certificate under section 69 of Tamil Nadu Court Fee and suits valuation Act XIV 1955, do issue herein, out of and under the seal of this court, in favour of Geetha Sarangarajan, the plaintiff herein, authorising



her to receive from the Pay and Accounts Office, High Court, Chennai a sum of Rs.2,01,600/- (Rupees Two Lakhs One Thousand Six Hundred Only) being the entire court fee paid on the plaint by the plaintiff herein.

WITNESS THE HON'BLE MR. JUSTICE SANJIB BANERJEE, CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE 08th DAY OF APRIL 2021.

Sd./-
ASSISTANT REGISTRAR (O.S.I)

//Certified to be true copy//
Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)
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17.06.2021

C.S.No.628 of 2015

ORDER :-

DATED: 08.04.2021

THE HON'BLE MR. JUSTICE
N.SESHASAYEE

FOR APPROVAL: 23/07/2021

APPROVED ON: 26/07/2021



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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.04.2021

CORAM : JUSTICE N.SESHASAYEE

C.S.No.628 of 2015

Geetha Sarangarajan

...

Plaintiff

Vs.

K.R.Ashok

...

Respondent

PRAYER : Civil Suit filed under Order IV Rule 1 of Original Side Rules
r/w. Order VII Rule 1 of Civil Procedure Code :

- A) directing the defendant to hand over vacant possession of the schedule mentioned property and on his failure to hand over possession, evict the defendant through due process of this Honourable Court;
- B) directing the defendant to pay a sub of Rs.21,60,000/- (Rupees Twenty One Lakhs Sixty Thousand only) towards past mesne profits from the use and occupation of the schedule mentioned property from 10.07.2012 to 10.07.2015 at the rate of Rs.60,000/- (Rupees Sixty Thousand only) per mensem;
- C) directing the defendant to pay Rs.60,000/- (Rupees Sixty Thousand only) per mensem or such other sum, as may be determined by this Court, towards future mesne profits from the use and occupation of the schedule mentioned property;



D) direct the defendant to pay to the plaintiff the cost of the suit;

E) to pass such further or other order or orders as this Court may deem fit and proper in the facts and circumstances of the case.

For Plaintiff : Mr.KMD.Muhilan
for Mr.R.Parthasarathy

JUDGMENT

The learned counsel for the plaintiff states that the matter in dispute has been amicably settled between the parties. His further submission is that the plaintiff is entitled for the refund of the entire Court fee paid. He relied on the judgment on the Hon'ble Supreme Court in ***High Court of Judicature at Madras, Rep by its Registrar General Vs. M.C.Subamaniam and Others*** [2021 SCC Online SC 109].

2. Recording the statement of the learned counsel for the plaintiff, the suit is dismissed as settled out of Court. The Court fee is directed to be refunded to the plaintiff as per Rules.

Sd./-N.S.S.J.
08.04.2012

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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