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IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

THURSDAY, THE 21ST DAY OF OCTOBER, 2021

THE HON'BLE MR. JUSTICE V.PARTHIBAN

O.P. No.322 of 2013

In the matter of section 34 of the
Arbitration and Conciliation Act, 1996

And

In the matter of Arbitral award passed
by the Learned Arbitrator,
K.Dhamayanthi

1. Mr.Vijayan. G.,
S/o. Gopalan,
No.3/144, New No.4/187,
Krishnapuram West, Veppanthattai,
Perambalur,
Tamilnadu – 621 103.

2. M/s.Indian Automobiles,
Rep by its Managing Partner C.Vijayan,
No.89-D, D2, North Street,
Palakaranai, Thirumangalam, (Nr Bus Stop),
Perambalur,
Tamilnadu – 621 212.

3. Mr.Gopalan,
No.3/144, New No.4/187,
Krishnapuram West, Veppanthattai,
Perambalur,
Tamilnadu – 621 103.

...Petitioners

-Vs-

1. M/s.Cholamandalam Investment & Finance Company Limited,
(formerly known as Cholamandalam DBS Finance Limited)
Rep. by its Senior Legal Co-ordinator,
Dare House, No.2, NSC Bose Road, Parrys,



Chennai – 600 001.

2. K.Damayanthi,
Advocate/Arbitrator
Door No.6/1, Lakshmi Nagar,
Second Street, Velachery,
Chennai – 600 042.

...Respondents

Original Petition praying that this Hon'ble Court be pleased to

(a) Set aside the award passed by the 2nd respondent dated 31.01.2011.

(b) Order costs of the present petition

This original petition coming on this day before this Court for hearing in the presence of M/s.S.Anuratha Balaji, Advocate for the petitioners herein and upon reading the petition and the memo filed herein and the learned counsel for petitioner request this court to accord permission to withdraw the present O.P. it is ordered as follows:-

That the Original petition No.322 of 2013, be and is hereby dismissed as withdrawn.

2) That there shall be no costs.

WITNESS THE HON'BLE MR.JUSTICE SANJIB BANERJEE,
CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID THIS THE
21st DAY OF OCTOBER, 2021.

Sd./-

ASSISTANT REGISTRAR (O.S.II)

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)



Skg

29.12.2021

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O.P.No.322 of 2013

ORDER

DATED: 21.10.2021

THE HON'BLE MR.JUSTICE
V.PARTHIBAN

FOR APPROVAL: 03.01.2022

APPROVED ON: 04.01.2022



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.10.2021

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THE HONOURABLE MR.JUSTICE V.PARTHIBAN

O.P.No.322 of 2013

1.Vijayan.G

2.M/s Indian Automobiles
rep by its Managing Partner G.Vijayan

3.Gopalan

... Petitioners

Vs.

1.M/s Cholamandalam Investment
& Finance Company Limited

2.K.Damayanthi

... Respondents

Petition filed under section 34 of the Arbitration and Conciliation
Act, 1996 praying to

a) Set a side the award passed by the 2nd respondent dated
31.01.2011.

b) Order costs of the present petition

For Petitioners : M/s. S.Anuratha Balaji

ORDER

Today, when the matter is taken up for hearing the learned counsel for
petitioner requests this Court to accord permission to withdraw the present



O.P. He has filed a memo to that effect.

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2. The contents of the above said memo are extracted hereunder:

"It is respectfully submitted that the above Petition was filed seeking to set aside the Arbitral Award passed by the 2nd respondent dated 31.01.2011 in Arbitration Claim Petition No.2465/2009, holding that the Petitioners are liable to pay the 1st respondent a sum of Rs.2,53,180/-(Rupees Two lakhs Fifty Three Thousand One Hundred and Eighty Only) together with the cost of Rs.1,400/- and the value of Non-Judicial stamps of Rs.150/- of this award.

2.The above claim was settled between petitioners and the 1st respondent and the petitioners seek leave of this Hon'ble Court to withdraw the above O.P as "Settled Out of Court".

3. It is therefore prayed that this Hon'ble Court may be pleased to record this memo and pass suitable orders therefor and thus render justice."

3.In view of the memo filed by the learned counsel for the petitioner, this petition stands dismissed as withdrawn. No costs.

Sd./- V.P.N.J.
21.10.2021

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)