

IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON: 16.12.2020

PRONOUNCED ON: 07.01.2021

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

**C.S.(Commercial Division) No.149 of 2020
and
A.Nos. 1347, 1348 & 1467 of 2020
And
O.A.No. 213 of 2020**

M/s. Acolyte Soft Pvt. Limited
Rep. by its Authorised Signatory
Mr.Badri Kasturi
102/36, Defence Officers Colony
Ekkatuthankal
Chennai – 600 032. ... Plaintiff

Vs.

1. M/s. Kondaduvom Entertainment
Represented by its partners
69-A, Habibullah Road
T.Nagar, Chennai – 600 017.
2. Mr.P.Madan
69-A, Habibullah Road
T.Nagar, Chennai – 600 017.
3. Mr.S.Venkataramanan
Old No. 15, New Nos. 44 & 46
Rathinam Street, Gopalapuram
Chennai – 600 086.

4. Mr.Goutham Vasudev Menon
69-A, Habibullah Road
T.Nagar, Chennai – 600 017.

5. Ms. Reshma Ghatala
Flat No.2 A/B
21, Sivaganga Road, Nungambakkam,
Chennai – 600 034.

... Defendants

PRAYER:- This Civil Suit is filed under Order VII Rule 1 of Original Side Rules read with Order XXXVII Rules 1 & 2 CPC and Section 7 of the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act, 2016 praying for the following reliefs for:

(a) directing the defendants to pay to the plaintiff the sum of Rs.1,94,90,136/- (Rs.1,50,00,000/- towards Principal and Rs.44,90,136/- towards interest at the rate of 18% per annum from 28.09.2018 to 27.05.2020) together with future interest at 18% per annum from the date of plaint till realisation; and

(b) directing the defendants to pay to the plaintiff the costs of this suit.

For plaintiff : Mr. K.Ravi for
M/s. Rugan & Arya

For Defendants : Mr. Abdul Hameed for
M/s. AAV Partners

JUDGEMENT

In view of the Order passed in A.No. 2441 of 2020 dated .01.2020, the plaint in C.S.(Commercial Division) No. 149 of 2020 is decreed with costs. Consequently, connected Applications are closed. Costs to be paid in accordance with the amended Section 35 of the Code of Civil Procedure.

2. The Registry is delegated and directed by this Court to determine the costs and the plaintiff is permitted to file their Bill of Costs relating to legal fees and expenses; and any other expenses incurred in connection with the proceedings. On the filing of the Bill of Costs, the Registry may determine the quantum of the costs.

Index: Yes/No

Web: Yes/No

vsg

Speaking/Non Speaking Order

07.01.2021

(2/2)

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C.V.KARTHIKEYAN, J.

vsg

List of Documents marked on behalf of the plaintiff in A.No.2441/2020_
in C.S.No. 149 of 2020:

1. Ex.A1 = Cheque No. 000051 for Rs.1.50 crores drawn in RBL Bank Ltd., R.A.Puram Branch, dated 27.01.2020; and
2. Ex.A2 = ICICI Bank return Memo to the plaintiff, dated 20.04.2020.

07.01.2021
(2/2)

vsg

Pre-Delivery Judgement in

C.S.(Commercial Division) No.149 of 2020

and

A.Nos. 1347, 1348 & 1467 of 2020

And

O.A.No. 213 of 2020

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