

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.08.2021

CORAM

THE HONOURABLE **DR.JUSTICE G.JAYACHANDRAN**

C.S.No.292 of 2019
and A.No.3346 of 2019

E.Mohan
Proprietor
M/s.Sri Maruthi Exports
No.22, 2nd Main Road
8th Cross Street
Shenoy Nagar West
Chennai 600 030

.... Plaintiff

Vs.

1.M/s.Vari Maruteshwar Granites
AT & POST Huligeri
Kustagi Taluk, Koppal District
Karnataka State

2.State Bank of India
By its Senior Manager
Huligeri Branch
Kustangi Taluk
Koppal District
Karnataka State

... Defendants

Prayer: The Civil Suit has been filed under Order IV Rule 1 of the Original Side Rules read with Order VII Rule 1 of C.P.C, 1908 (Commercial Disputes), praying

(a) Directing the 1st defendant to supply the goods as per the Purchase order placed by the plaintiff with the 1st defendant with specifications within such time as this Court may fix on receipts of the balance sale price of Rs.49,23,635/- or in the alternate direct the 1st defendant to refund the sum of Rs.2,72,34,660/- (Rupees Two Crore Seventy Two Lakhs Thirty Four Thousand Six Hundred and Sixty only) being the refund of the money paid with interest monthly rests on Rs.2,00,00,000/- from the date of plaint till the date of actual realisation, the transaction being one Commercial in nature.

(b) Costs of the suit.

For Plaintiff : Mr.R.Thiagarajan

For Defendants : Mr.Kalaiselvan for D1
Mr.K.Chandrasekaran for D2

JUDGMENT

(This case has been heard through video conference)

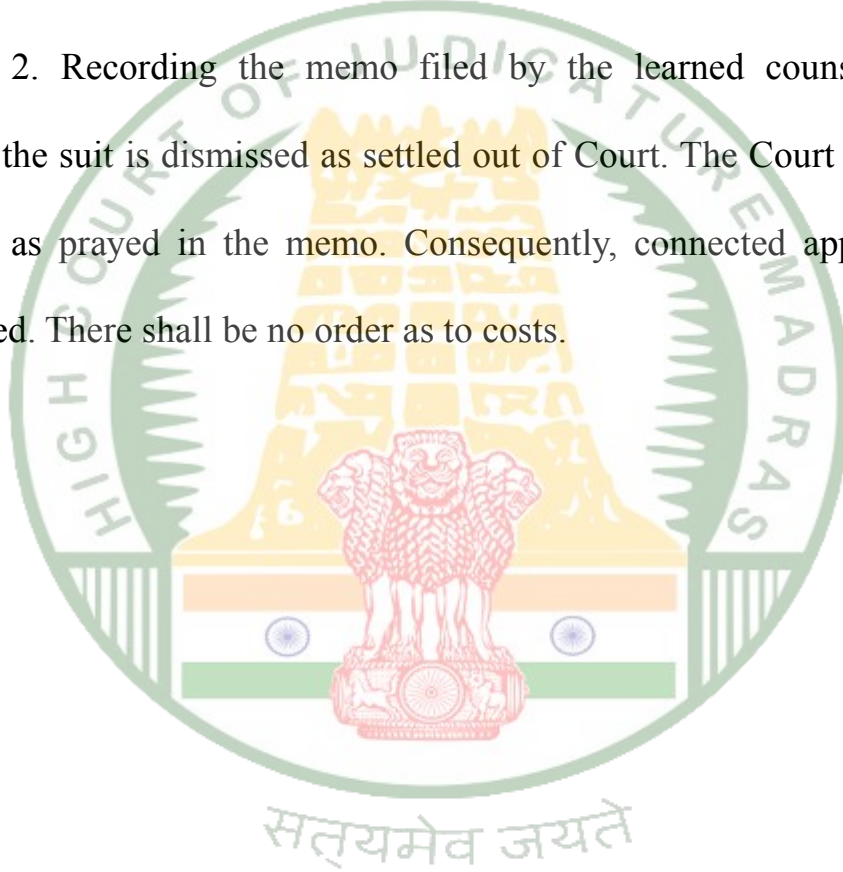
The learned counsel appearing for the plaintiff has filed a memo stating that the parties have settled their dispute out of Court and hence

seeks leave to dismiss the suit as settled out of Court and also made a request to refund the Court fee in the name of Mr.R.T.Chidambaram, one of the counsels on record of the plaintiff.

2. Recording the memo filed by the learned counsel for the plaintiff, the suit is dismissed as settled out of Court. The Court fee may be refunded as prayed in the memo. Consequently, connected application is also closed. There shall be no order as to costs.

rpl

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DR.G.JAYACHANDRAN, J.

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and A.No.3346 of 2019

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