

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

MONDAY, THE 22ND DAY OF NOVEMBER 2021

THE HON'BLE MR. JUSTICE N. SESHASAYEE

Tr.C.S.No. 331 of 2019

M/s Statco Infraprojects Ltd.,
No. 4/4, Ground Floor,
Justice Ramanujam Street,
Malavya Avenue, Thiruvanmiyur,
Chennai – 600 041.

... Plaintiff

-Vs-

M/s. Narendra Properties Ltd.,
Rep.by its Managing Director
Mr. Chirag Maher,
Makanji House 2nd Floor,
49 (Old 25), Barnaby Road,
Kilpauk, Chennai – 600 010.

... Defendant

Civil Suit praying that this Hon'ble Court may be pleased to pass a
Judgment and Decree :-

a) Pass a Judgment and Decree Declaring the Document dated
01.04.2013, 26.04.2013, 31.03.2014 and 31.03.2015 allegedly issued by the
plaintiff/its officers to the defendant or its agents/officers as null and void
and not binding on the plaintiff.

b) Pass a Judgment and Decree of Permanent Injunction restraining
the defendant, its agents, officers, servant or anyone or any organisation

claiming through or under them from relying / using the Document dated 01.04.2013, 26.04.2013, 31.03.2014 and 31.03.2015 allegedly issued by the plaintiff/its officers to the defendant or its agents/officers before any legal proceeding or in any manner whatsoever against the plaintiff.

c) Direct the defendant to pay the costs of the suit to the plaintiff.

This suit along with the C.S.No. 680 of 2017 coming on this day before this Court for hearing in the presence of Mr. Vaibhav R. Venkatesh, Advocate for the plaintiff herein and M/s.Aiyar and Dolia, Advocate, for the defendant herein and upon reading the Complaint filed in Tr.C.S.No. 331 of 2019 and Both sides made a joint statement that the dispute between the parties has been compromised before NCLT, consequent to which, both the suits are withdrawn as settled out of Court, , **it is ordered as follows:-**

That the suit in Tr.C.S.No. 331 of 2019, be and is hereby dismissed as settled out of Court.

2. That a certificate under section 69 of Tamil Nadu Court Fees and Suits Valuation Act, XIV of 1955, do issue herein, out of and under the seal of this Court, in favour of M/s. Statco Infraprojects Pvt Ltd., Rep.by its authorised representatives, the plaintiff herein, authorising them, to receive

from the Pay and Accounts Office, High Court, Madras, a sum of Rs.453/ (Rupees Four Hundred and Fifty Three only) being the entire Court fee paid on the Plaint by the Plaintiff herein.

3. That there shall be no costs of this suit.

WITNESS THE HON'BLE MR. JUSTICE MUNISHWAR NATH BHANDARI, ACTING CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE 22ND DAY OF NOVEMBER 2021.

Sd/-

ASSISTANT REGISTRAR (O.S.II)

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.

ED
28.12.2021

Tr.C.S.No. 331 of 2019

ORDER

DATED: 22.11.2021

THE HON'BLE MR. JUSTICE
N.SESHASAYEE

FOR APPROVAL: 28/12/2021

APPROVED ON: 03/01/2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.11.2021

CORAM : JUSTICE N.SESHASAYEE

C.S.No.680 of 2017
and Tr.C.S.No.331 of 2019

1.M/s.Narendra Properties Ltd.
Represented by its Managing Director
Mr.Chirag Maher
Having its office at :
Makanji House 2nd Floor
49 (Old No.25) Barnaby Road
Kilpauk, Chennai – 600 010.

... Plaintiff in CS.No.680 of 2017

2.M/s.Statco Infraprojects Pvt. Ltd.,
No.4/4, Ground Floor
Justice Ramanujam Street
Malavya Avenue, Chennai – 600 041.

... Plaintiff in Tr.C.S.No.331 of 2019

Vs.

1.M/s.Statco Infraprojects Ltd.,
Represented by Mr.Manoj Kantibhai Sheth
Managing Director
No.4/4, Ground Floor
Justice Ramanujam Street
Malavya Avenue, Chennai – 600 041.

... Defendant in C.S.No.680 of 2017

2.M/s.Narendra Properties Ltd.
Represented by its Managing Director
Mr.Chirag Maher
Having its office at :
Makanji House 2nd Floor

49 (Old No.25) Barnaby Road
Kilpauk, Chennai – 600 010.

... Defendant in Tr.CS.No.331/2019

Prayer in CS.No.680 of 2017 : Civil Suit filed under Order VII Rule 1 and 2 of the CPC read with Order IV Rule 1 & 2 of the Original Side Rules praying to pass a judgment and decree against the defendant :

- (a) directing the defendant to pay the sum of Rs.87,50,000/- (Rupees Eighty Seven Lakhs Fifty Thousand only) together with interest on Rs.50,00,000/- principal, at the rate of 18% per annum from the date of plaint till the date of realization in full;
- (b) pay the cost of the suit to the plaintiff;
- (c) pass such further or other order as this Court may deem fit and reasonable in the circumstances of the case.

Prayer in Tr.CS.No.331 of 2019 : Civil Suit filed under Order VII Rule 1 of CPC praying to pass a judgment and decree :

- (a) declaring that the document dated 01.04.2013, 26.04.2013, 31.03.2014 and 31.03.2015 allegedly issued by the plaintiff / its officers to the defendant or its agents/officers as null and void and not binding on the plaintiff;
- (b) permanent injunction restraining the defendant, its agent officers, servants or anyone or any organisation claiming through or under them from relying / using the document dated 01.04.2013, 26.04.2013, 31.03.2014 and 31.03.2015 allegedly issued by the plaintiff / its officers to the defendant or its

agents/officers before any legal proceeding or in any manner whatsoever against the plaintiff;

(c) direct the defendant to pay the costs of the suit to the plaintiff and

(d) pass such further or other order as this Court may deem fit in the facts and circumstances of the present case.

In C.S.No.680 of 2017 :

For Plaintiff : M/s.Aiyar and Dolia
For Defendant : Mr.Vaibhav R.Venkatesh

In Tr.C.S.No.331 of 2019 :

For Plaintiff : Mr.Vaibhav R.Venkatesh
For Defendant : M/s.Aiyar and Dolia

COMMON JUDGMENT

Both sides made a joint statement that the dispute between the parties has been compromised before NCLT, consequent to which, both the suits are withdrawn as settled out of Court.

2. The suits are dismissed as settled out of Court. The Registry is required to refund the Court fee to the respective plaintiff's as per law. No costs.

Sd./-N.S.S.J.,
22.11.2021

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

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