



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.11.2021

Coram

The Hon'ble Mr. Justice PARESH UPADHYAY

and

The Hon'ble Mr. Justice SATHI KUMAR SUKUMARA KURUP

O.S.A.Nos.229 to 236 of 2021

and

C.M.P.Nos.9736 to 9738 and 9740, 9745 to 9748 of 2021

Gem Edible Oil Private Ltd.,
represented by its Managing Director
K.M.Chinnadurai,
491&492, Kovai Road,
Kareagounderpalayam Village,
Kariyampalayam (PO), Annur,
Coimbatore - 641 653.

..Appellant in

OSA.Nos.229,231,234 and 236 /2021

Sunraja oil Industrial Pvt.Ltd
Represented by its Managing Director
K.Gandhi Rajan Having its Registered Office
At Puliyankadu Moolakkarai Perundurai Road,
Nasiyanur (Post), Erode-638 107. .. Appellant in OSA.Nos.230,
232, 233, 235/2021

Vs

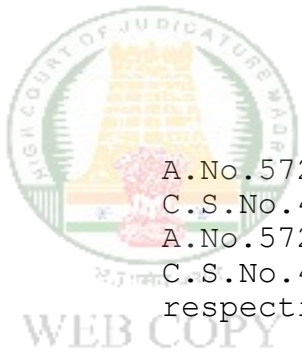
1.ADM International Sarl,
A One Business Center La Piece 3,
CH - 1180 Rolle-Switzerland 260-262 & 45-45A,
Also at:
Belur Industrial Area,
Dharwad - 580 011, Karnataka, India.

2.Federation of Oil Seeds & Fats Association,
4-6 Throgmorton Avenue,
London, EC2N 2DL United Kingdom

3.Bromex Pvt. Ltd.,
14-A College Road,
Chennai - 600 006.

..Respondents in all OSAs

Prayer in O.S.A.No.229 of 2021: Appeals preferred under Order XXXVI Rule 1 of O.S. Rules r/w Clause 15 of Letters Patent against the order dated 22.04.2021 made in A.No.5730 of 2019 in C.S.No.407 of 2019, A.No.5724 of 2019 in C.S.No.406 of 2019,



A.No.5729 of 2019 in C.S.No.407 of 2019, A.No.5726 of 2019 in C.S.No.406 of 2019, A.No.5723 of 2019 in C.S.No.406 of 2019, A.No.5727 of 2019 in C.S.No.407 of 2019, A.No.5725 of 2019 in C.S.No.406 of 2019, A.No.5728 of 2019 in C.S.No.407 of 2019 respectively.

C.S.No.406 of 2019 and C.S.No.407 of 2019

This Hon'ble Court may be pleased to pass Judgment and Decree against the Defendants

a. Declaration that the Arbitration proceedings initiated by the first defendant against the Plaintiffs in FOSFA case Nos.779 and 778 on the file of the 2nd defendant as void and or against public policy of India.

b. Declaration that the contracts between the plaintiff and the first defendant from May 2018 to June 2019 and July 2018 to June 2019 more fully described in the Schedule hereunder as null and void as they are against Public Policy.

c. Permanent Injunction to restrain the first defendant from initiating, proceeding with, or continue with arbitration proceedings against the plaintiff in pursuance of and in relation to the agreements entered between the plaintiff and the first respondent from May 2018 to June 2019 and July 2018 to June 2019.

d. Direct the first respondent to pay Rs.1,00,01,000/- as damages in both Civil Suits .

e. To the costs of the Suit

f. Such further or other orders as this Hon'ble Court may deem fit and proper in the above facts and circumstances of the case.

For Appellant
(in all O.S.As) .. Mr.V.Saranraj

For Respondents
(in all O.S.As) .. Mr.Anirudh Krishnan for R1
Mr.S.Raghunathan for R2

COMMON ORDER
(Delivered by PARESH UPADHYAY, J.)

Mr.V.Saranraj, learned advocate for the appellants has tendered a copy of the settlement agreement between the contesting parties, along with his endorsement on it and has



stated that, in view of the said settlement, the appellants do not wish to pursue these appeals. He, therefore, seeks permission to withdraw these appeals. Permission, as prayed for, is granted. All appeals are disposed of as not pressed.

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2. It is noted that there is agreement between all the learned advocates for the respective parties, who have appeared before this Court, that not only the subject matter of these appeals but the entire controversy between the contesting parties has been settled separately and, therefore, not only these appeals, however proceedings initiated by all the respective parties are also agreed to be withdrawn and that, the withdrawal of these set of appeals is part of that arrangement.

3. The Original Side Appeals stand disposed of in above terms. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

ssm/18

To

The Sub Assistant Registrar,
Original Side, High Court, Madras.

O.S.A.Nos.229 to 236 of 2021

SR-II (CO)
SB(03/12/2021)