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IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

MONDAY, THE 26TH DAY OF JULY 2021

THE HON'BLE DR. JUSTICE G.JAYACHANDRAN

C.S.No.323 of 2018

C.S.No.323 of 2018:-

M/s.A&A International Trading Pvt Ltd.,
Represented by its Manager,
Mr.G.P.Suresh,
No.6,5/140, 5th Block,
Kaviarasu Kannadasan Nagar,
Kodungaiyur,
Chennai – 600 118.

... Plaintiff

Versus

01.M/s.Empee Sugars and Chemicals Limited,
Rep.by its Chairman & Managing Director,
Mr.M.P.Purushothaman,
No.59, Harrish Road,
Pudupet, Chennai – 600 002.

02.M/s.Empee Distilleries Limited,
Rep. by its Joint Managing Director,
Ms.Nisha Purushothaman,
No.59, Harris Road,
Pudupet,Chennai – 600 002.

... Defendants

Civil suit praying that this Hon'ble Court be pleased to pass a

Judgement and decree against the Defendants by:

(a) directing the Defendants jointly and severally to pay s sum of a

sum of Rs.4,36,33,880 (Rupees Four Crores Thirty Six Lakhs Thirty Three



Thousand Eight Hundred and Eighty Only) as on 14.05.18 with interest at the rate of 18% per annum on the Principal sum of Rs.4,30,41,180/- (Rupees Four Crores Thirty Lakhs Forty One Thousand One Hundred and Eighty Only) from the date of Complaint till the day of payment in full to the Plaintiff.

(b) The Costs.

This Civil Suit coming on this day before this court for hearing in the presence of Mr.Arun Pradeesh for M/s.A.A.V.Partners, Advocates for the plaintiff herein and Ms.M.Sneha, Advocate for the 1st defendant herein and Mr.V.Dinesh Raju, Advocate for the 2nd defendant herein and upon reading the plaint and the affidavit of G.P.Suresh filed herein and the plaintiff had stated in the affidavit that the parties have settled the dispute out of court and therefore, he may be permitted to withdraw the suit and the court fee may be returned and this court doth recording the same, and **it is ordered as follows:-**

That the suit in C.S.No.323 of 2018 be and is hereby dismissed as withdrawn.

2) That a certificate under section 69 of the Tamil Nadu Court Fees and Suit Valuation Act XIV of 1955 (Amended Act) do issue herein, out of under the seal of this court in favour of M/s.A&A International Trading Pvt.

Ltd., rep. by its Manager, Mr.G.P.Suresh, the plaintiff herein, authorising them to receive from the pay and Accounts Office, High Court, Chennai, a



sum of Rs.4,39,870/- (Rupees Four Lakhs Thirty Nine Thousands Eight Hundred and Seventy Only) being the entire court fee paid on the plaint by the plaintiff herein.

WITNESS THE HON'BLE MR. JUSTICE SANJIB BANERJEE,
CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE
26TH DAY OF JULY 2021.

Sd./-

ASSISTANT REGISTRAR (Comm.Cases)

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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



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31/08/2021

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C.S.No.323 of 2018

ORDER

DATED : 26.07.2021

THE HON'BLE DR.JUSTICE
G.JAYACHANDRAN

FOR APPROVAL:01/11/2021

APPROVED ON:01/11/2021



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.07.2021

CORAM

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

C.S.No.323 of 2018

M/s.A&A International Trading Pvt. Ltd.,
Rep. by its Manager,
Mr.G.P.Suresh,
No.6,5/140, 5th Block,
Kaviarasu Kannadasan Nagar,
Kodungaiyur,
Chennai 600 118.

...Plaintiff

..VS..

1.M/s.Empee Sugarsand Chemicals Limited,
Rep. by its Chairman & Managing Director,
Mr.M.P.Purushothaman,
No.59, Harris Road,
Pudupet,
Chennai 600 002.

2.M/s.Empee Distilleries Limited,
Rep. by its Joint Managing Director,
Ms.Nisha Purushothaman,
No.59, Harris Road,
Pudupet,
Chennai 600 002.

...Defendants

Prayer:Civil Suit filed under Order IV Rule I of the O.S.Rules with Order VII Rule I of the CPC 1908, praying for the following:

a) to direct the defendants jointly and severally to pay a sum of

Rs 4,36,33,880/- (Rupees Four Crores Thirty Six Lakhs Thirty Three



Thousand Eight Hundred and Eight Only) as on 14.05.18 with interest at the rate of 18% per annum on the principal sum of Rs.4,30,41,180/- (Rupees Four Crores Thirty Lakhs Forty One Thousand One Hundred and Eighty Only) from the date of plaint till the day of payment in full to the plaintiff.

b) the costs.

For Plaintiff : M/s.Arun Pradeesh
for M/s.AAV Partners

For Defendants : M/s.M.Sneha for D1
Mr.V.Dinesh Raju for D2

J U D G M E N T

The plaintiff has filed an affidavit stating that the parties have settled the dispute out of Court and therefore, he may be permitted to withdraw the suit and the Court fee may be refunded.

2.Recording the same, the suit is dismissed as withdrawn. Refund of court fee shall be subject to the Act and Rules.

Sd./-G.J.J
26.07.2021

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)