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IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

FRIDAY, THE 24TH DAY OF SEPTEMBER 2021

THE HON'BLE MR. JUSTICE N.SESHASAYEE

C.S.No.421 of 2018

R.Sarathkumar,
No.2, Kalyani Nagar,
Kottivakkam,
Chennai – 600 041.

... Plaintiff

-Versus-

M/s.Radiance Media P.Ltd.,
having registered office at
Khivraj Complex-II,
6th Floor,480, Anna Salai,
Nandanam, Chennai – 600 035.

... Defendant

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

(a) directing the defendant to take an account of the amount due
under the Deed of mortgage dated 21.01.2016, including future interest;

(b) upon payment of the same by the plaintiff, directing the defendant
to deliver to the plaintiff the mortgage instrument and all the original
documents in its possession or power relating to mortgage created on
21.01.2016 over the suit properties;



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(c) Directing the defendant to execute and register at its cost, an acknowledgment in writing to the effect that the interest created by the mortgage on 21.01.2016 over the suit properties has been extinguished;

(d) directing the defendant to pay to the plaintiff the costs of this suit.

This Civil Suit coming on this day before this court for hearing through video conferencing in the presence of Mr.E.K.Kumaresan for Mr.T.John Alexander, Advocates for the plaintiff herein and Mr.Abudu Rajendran for Mr.R.Bhagat Krishnan, Advocates for the defendant herein and upon reading the plaint and the joint memo of compromise filed herein and this court doth recording the joint memo of compromise, this Court was informed that the parties have settled the matter outside the Court, and the parties on either side logged in and made a statement that the redemption process is over and the plaintiff made a statement that the property mortgaged has been handed over to him and **it is ordered as follows:-**

(i) That the suit in C.S.No.421 of 2018 be and is hereby dismissed as settled out of court.

(ii) That a certificate U/s.69 of TamilNadu Court fees and suits valuation Act XIV of 1955 do issue herein out of and under the seal of this court in favour of R.Sarath Kumar the plaintiff herein authorising him to



receive from the pay and Accounts office, Chennai a sum of Rs.2,07,795/-

(Rupees Two Lakhs Seven Thousand Seven Hundred and Ninety Five Only) being the entire court fee paid on the plaint by the plaintiff herein.

(iii) That there shall be no costs of this suit.

WITNESS, THE HON'BLE MR.JUSTICE SANJIB BANERJEE,
CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS
THE 24TH DAY OF SEPTEMBER 2021.

Sd./-

ASSISTANT REGISTRAR (O.S.I)

//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.



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22/12/2021

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C.S.No.421 of 2018

ORDER

DATED :24.09.2021

THE HON'BLE MR.JUSTICE
N.SESHASAYEE

FOR APPROVAL: 15/02/2022

APPROVED ON:21/02/2022



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.09.2021

CORAM

THE HONOURABLE **MR.JUSTICE N.SESHASAYEE**

C.S.No.421 of 2018

R.Sarathkumar
No.2, Kalyani Nagar
Kottivakkam
Chennai – 600 041.

...Plaintiff

Vs.

M/s.Radiance Media P.Ltd.
Having registered office at
Khivraj Complex – II, 6th Floor,
480, Anna Salai,
Nandanam, Chennai – 600 035.

...Defendant

Prayer: The Civil Suit has been filed under Order XXXVII Rule II of the Original Side Rules read with Order XXXIV Rules 7 & 8 of C.P.C and Section 60 of Transfer of Property Act 1908, praying to pass a decree and judgment:

(a) directing the defendant to take an account of the amount due under the Deed of mortgage dated 21.01.2016, including future interest;

(b) upon payment of the same by the plaintiff, directing the defendant to deliver to the plaintiff the mortgage instrument and all the original



documents in its possession or power relating to mortgage created on 21.01.2016 over the suit properties;

(c)directing the defendant to execute and register at its cost, an acknowledgment in writing to the effect that the interest created by the mortgage on 21.01.2016 over the suit properties has been extinguished and for costs.

For Plaintiff : Mr.E.K.Kumerasan

Mr.T.John Alexander

For Defendant : Mr.Abudu Rajendran

Mr.R.Bhagat Krishnan

JUDGMENT

(This case has been heard through video conference)

The suit is laid for redemption of mortgage property. This Court was informed that the parties have settled the matter outside the Court. The parties on either side logged in and made a statement that the redemption process is over and the plaintiff made a statement that the property mortgaged has been handed over to him.

2.The parties have filed a joint memo of compromise dated 22.09.2021

stating that they have decided to withdraw the suit. The said compromise



has been recorded and the compromise memo dated 22.09.2021 is taken on file.

3.This Civil Suit stands dismissed as settled out of Court accordingly. The Registry is directed to refund the Court fee as per law. No costs.

Sd./-N.S.S.J
24.09.2021

//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/Decrees in this format.