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C.S.No.126 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: **07.11.2022**

CORAM

THE HON'BLE MR.JUSTICE M.SUNDAR

C.S.No.126 of 2020
(Comm. Suit)

M/s.BVM Global Education Trust
Rep. by Mr.Ramana Prasad, Managing Trustee
No.9, First Cross Street, Karpagam Garden
Chennai-600 020.

.. Plaintiff

Vs.

Think & Learn Pvt. Ltd (BYJU's)
Represented by Promoter & Director
Mr.Byju Raveendran
Having Office at Prince Kushal Towers
No.96, 4th Floor, General Patters Road
Chennai-600 002
and registered office at
2nd Floor, Tower D, IBC Knowledge Park
4/1 Bannerghatta Main Road
Bengaluru - 560 029.

.. Defendant

This Civil Suit is preferred, under Section 2(1)(viii) & (xxii) of Commercial Courts Act, 2015 read with Order VII Rule 1 of CPC, praying Judgment and Decree

(a) Directing the defendants to pay a sum of Rs.2,25,00,000/- being the damages as well as the amount due to be paid to the plaintiff under the contract by the defendant;



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(b) For permanent injunction restraining the defendant from conducting classes as for the terms of the agreement within 6 kms radius till the end of academic year 2021;

(c) For the cost of the suit;

For Plaintiff	:	Mr.G.Surya Narayanan
For Defendant	:	Mr.P.R.Dhilip Kumar

J U D G M E N T

Captioned suit is listed under the cause list caption 'FOR REPORTING SETTLEMENT'.

2. Mr.G.Surya Narayanan, along with Ms.Jayasudha, learned counsel on record for sole plaintiff and Mr.P.R.Dhilip Kumar, learned counsel on record for lone defendant are before this Commercial Division.

3. Learned counsel for sole plaintiff submits that the plaintiff has given instructions to the counsel on record for plaintiff to withdraw the captioned suit. Saying so, learned counsel has made an endorsement in the case file and a scanned reproduction of the same is as follows:



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4. Aforementioned endorsement is reiterated in the hearing.

5. Learned counsel for plaintiff submits that in the course of plaintiff's side evidence, certain documents have been marked as exhibits. Learned counsel submits that Ex.P.23 to Ex.P.35 are originals and requests this Commercial Division to direct the Registry to permit the plaintiff's counsel to replace the same with certified copies and take back the originals. Learned counsel for defendants does not oppose this request.

6. Registry to return the originals of Ex.P.23 to Ex.P.35 to learned counsel on record for plaintiff under due acknowledgment subject to the condition that Ex.P.23 to Ex.P.35 are replaced with certified copies by plaintiff counsel.



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M.SUNDAR, J.

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7. In the light of the narrative thus far, captioned suit is dismissed as withdrawn. There shall be no order as to costs.

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Index : Yes/No
Speaking/Non-speaking order
mk

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