



WEB COPY



C.S. No.134 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.04.2023

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

C.S. No.134 of 2015 &
A.No.5691 of 2022

1. Sanjay Bhansali
2. Vimala Bhansali

... Plaintiffs

VS.

1. P.Haridoss
2. R.Saravana Kumar
3. S.Ramesh

... Defendants

PRAYER: Complaint filed under Order 34 Rule 1 and Order VII Rule 1 of the Code of Civil Procedure read with Order IV Rule 1 of the Original Side Rules, prayed for a Judgment and Decree:-

(a) Directing the defendants to pay to the plaintiffs the sum of Rs.36,50,000/- together with future interest at the rate of 24% per annum on Rs.25,00,000/- from the date of presentation of plant till the date of realization in respect of the aforesaid suit Equitable Mortgage loan dt.21.1.2011 ;

(b) Directing the defendants to pay to the plaintiff the cost of the suit and on failure to pay the above decree amount with costs of the suit;

(c) on the defendants failure to pay the above decree amount with costs of th suit, directing the A schedule mentioned property being



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mortgaged be brought to sale for realization o the amount found to be due by the defendants as on such date of sale and appropriate the sale proceeds towards the due and in case of proceeds of sale are found to be insufficient to pay the amount due to the plaintiffs, to proceed against the defendants personally to recover the balance due and

(d) to pass such order or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case and thus render justice.

For Plaintiffs : Mr.Nagu Sah & N.Chandra Sekar

For Defendants : No appearance

JUDGMENT

Learned counsel for the plaintiff would submit that the parties reached a settlement. He has also filed a memo dated 10.04.2023 to that effect.

2. The said memo dated 10.04.2023 is taken on file. In view of the settlement arrived at between the parties, the suit is dismissed as settled out of Court without any order as to costs. Consequently, the plaintiffs shall be entitled to refund of the court fee as applicable. Consequently, A.No.5691 of 2022 is closed.

10.04.2023

Index : Yes / No

Internet : Yes / No

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<https://www.mhc.tn.gov.in/judis>



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