



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

TUESDAY, THE 1ST DAY OF MARCH 2022

THE HON'BLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

C.S.No.232 of 2016

1.Anuradha Bhasker
W/o.K.P.Bhasker

2.K.Vignesh Bhasker
S/o.K.P.Bhasker,
Both are residing at
Abhinav, No.6, 3rd Cross Street,
R.A.Puram, Chennai- 600 028

...Plaintiffs

VS

1.Pakshal Sutaria,
S/o.Dilip Sutaria

2.Dilip Sutaria,
S/o.Sutaria
Both are residing at
Radha Foundation,
4th Floor, Flat No.4B,
Chinnaya Street,
G.N.Chetty Road, T.Nagar,
Chennai- 600 017

....Defendants

Civil Suit praying that this Hon'ble Court be pleased to pass a
judgment and decree against the defendants,



a)directing the defendants to pay a sum of Rs.1,77,44,900/- (One Crore Seventy Seven Lakhs Forty Four Thousand Nine Hundred only) till the date of suit together with future interest at the rate of 12% from the date of suit till the date of realization.

b)To award cost of this suit.

This suit coming on this day before this Court for hearing in the presence of Mr.S.Sundaresan, advocate for the plaintiffs herein and the defendants herein having not appeared in person or by advocate and upon reading the plaint filed herein and the order herein dated 15.02.2021, and the memo dated 24.02.2022 having been filed by the plaintiff's counsel,

It is ordered as follows:-

That the suit in C.S.No.232 of 2016 be and is hereby dismissed as withdrawn.

2. That a certificate under section 69 of Tamil Nadu Court Fees and Suits Valuation Act, 1955 (Amendment Act) do issue herein, out of and under the seal of this court in favour of (1)Anuradha Bhasker and (2)K.Vignesh Bhasker, the plaintiffs herein, authorising them to receive from the Pay and Accounts Office, High Court Chennai, for a sum of Rs.1,81,000/- (Rupees One Lakh and Eighty One Thousand only) being the entire court fee paid on the plaint by the plaintiffs herein.



3. That there shall be no costs of this suit.

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WITNESS THE HON'BLE MR. JUSTICE MUNISHWAR NATH
BHANDARI, CHIEF JUSTICE, HIGH COURT AT MADRAS
AFORESAID, THIS THE 01ST DAY OF MARCH 2022.

ASSISTANT REGISTRAR (O.S.I)



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DL

WEB COPY 04.04.2022

C.S.No.232 of 2016

ORDER

DATED : 01.03.2022

THE HON'BLE MRS. JUSTICE
V.BHAVANI SUBBAROYAN

FOR APPROVAL:

APPROVED ON :



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 1.03.2022

CORAM :

THE HONOURABLE MRS. JUSTICE **V.BHAVANI SUBBAROYAN**

C.S.No. 232 of 2016 (A)

1.Anuradha Bhasker
2.K.Vignesh Bhasker

..Plaintiffs

Versus

1.Pakshal Sutaria
2.Dilip Sutaria

..Defendants

Civil Suit is filed under Order VII, Rule 1 of Original Side Rules r/w Order XXXVII Rule 1 of CPC., for directing the defendants to pay a sum of Rs.1,77,44,900/- (One Crore Seventy Seven Lakhs Forty Four Thousand and Nine Hundred Only) till the date of suit together with future interest at the rate of 12% from the date of suit till the date of realization and for costs.

For Plaintiffs : Mr.S.Sundaresam

For Defendants : Summons Served, Name Printed
No Appearance

JUDGEMENT

The learned counsel appearing for the plaintiffs

submitted that the plaintiffs have filed the suit for recovery of a sum of



Rs.1,77,44,900/- (Rupees One Crore Seventy Seven Lakhs Forty Four Thousand and Nine Hundred Only) from the defendants together with future interest at the rate of 12% from the date of instituting of the suit till the date of realization. He has also filed a memo dated 24.02.2022, seeking permission of this Court to withdraw this civil suit.

2. In view of the said memo, the Civil Suit is dismissed as withdrawn. Registry is directed to refund the necessary Court Fee to the learned Counsel for the plaintiffs as per the procedures established under the relevant Rules. The plaintiffs are directed to file necessary application, authorizing their counsel to collect necessary Court Fees on their behalf. No costs.

Sd./-V.B.S.J.

01.03.2022

//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/Decrees in this format.