



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

MONDAY, THE 24th DAY OF JANUARY 2022

THE HON'BLE MR. JUSTICE N.SESHASAYEE

C.S.No.406 of 2016
& A.No.4519 of 2018
& A.No.8769 of 2019

M/s. Financial Software & Systems Private Ltd
Represented by its Authorized Signatory,
G-4, 1st Cross Street,
SIPCOT IT Park, Rajiv Gandhi Salai,
(OMR), Siruseri,
Navalur,
Kelambakkam,
Chennai - 603 103.

... Plaintiff

Vs.

The New India Assurance Company Limited,
Macmillan House, II Floor,
'B' Block, No.21, Pattulos Road,
Chennai - 600 002.

... Defendant

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

(a) Directing the defendant to pay a sum of Rs.3,99,01,589/- (Rupees
Three Crores Ninety Nine Lakhs and One thousand Five Hundred and
Eighty nine only), with interest @ 20% per annum on the principal a sum of



Thousand and Five Hundred and ninety five) till date of plaint realization

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(b) Costs of the suit.

A.No.4519 of 2018 & A.No.8769 of 2019:-

The New India Assurance Co Ltd,
Macmillan House, II Floor,
'B' Block, No.21, Patulous Road,
Chennai - 600 002.

...Applicant / Defendant

VS

Financial Software & Systems Pvt Ltd,
Rep. by its Authorized Signatory,
G4, First Cross Street,
SIPCOT IT Park,
Rajiv Gandhi Salai (OMR),
Siruseri, Navalur,
Kelambakkam,
Chennai - 603 103.

...Respondent / Plaintiff

A.No.4519 of 2018:-

Application praying that this Hon'ble Court be pleased to reject the
plaint or in the alternate return the plaint to be presented before the
appropriate forum.

A.No.8769 of 2019:-



order dated 19.07.2016 in Application 3357 of 2016 in C.S.No.406 of 2016.

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This Civil Suit alongwith these applications coming on this day before this Court for hearing in the presence of Mr.S.Ramesh, Advocate for the plaintiff in C.S.No.406 of 2016 and for the respondent in A.Nos.4519 of 2018 and 8769 of 2019 and Mr.S.R.Sundar, Advocate for the defendant in C.S.No.406 of 2016 and for the applicant in A.Nos.4519 of 2018 and 8769 of 2019 and upon reading the plaint filed in C.S.No.406 of 2016 and the Judge's Summons and the affidavit of B.Bhuvaneswari filed in A.No.4519 of 2018 and the affidavit of Saraswathi Balachandran filed in A.No.8769 of 2019 and the order dated 06/08/2019 made in A.No.4519 of 2018 and joint memo of settlement signed by the plaintiff and the defendant with their respective advocates and the said advocates for the parties hereto and this Court doth recording the same, to that effect, **it is ordered as follows:-**

That the suit in C.S.No.406 of 2016, be and is hereby dismissed as settled in mediation.

2) That a Certificate under section 69 of Tamil Nadu Court Fees and Suits Valuation Act, XIV of 1955 do issue herein, out of and under the seal of this Court, in favour of M/s.Financial Software & Systems Private Ltd.,

Rep. by its authorised Signatory, the plaintiff herein, authorising them, to



receive from the Pay and Accounts Office, High Court, Madras, a sum of Rs.4,02,750/- (Rupees Four Lakhs Two Thousand Seven Hundred and Fifty Only) being the entire Court Fee paid on the plaint by the plaintiff herein.

3) That these A.Nos.4519 of 2018 and 8769 of 2019 do stand closed.

4) That there shall be no costs of this suit.

WITNESS THE HON'BLE MR. JUSTICE MUNISHWAR NATH BHANDARI, ACTING CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE 24th DAY OF JANUARY 2022.

Sd/-

ASSISTANT REGISTRAR (O.S.I)

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

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14.02.2022

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C.S.No.406 of 2016
& A.No.4519 of 2018
& A.No.8769 of 2019

ORDER

DATED :24.01.2022

THE HON'BLE MR.JUSTICE
N.SESHASAYEE

FOR APPROVAL : 15.02.2022

APPROVED ON : 17.02.2022



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.01.2022

CORAM : JUSTICE N.SESHASAYEE

C.S.No.406 of 2016
& A.No.4519 of 2018
& A.No.8769 of 2019

M/s.Financial Software & Systems Private Ltd.,
Represented by its Authorized Signatory,
G-4, 1st Cross Street,
SIPCOT IT Park, Rajiv Gandhi Salai,
(OMR), Siruseri,
Navalur,
Kelambakkam,
Chennai - 603 103.

... Plaintiff

Vs.

The New India Assurance Company Limited,
Macmillan House, II Floor,
'B' Block, No.21, Pattulos Road,
Chennai - 600 002.

... Defendant

PRAYER : Civil Suit filed under Order 4 Rule 1 of O.S.Rules read with
Order 7 Rule 1 to 6 of CPC :

(a) Directing the defendant to pay a sum of Rs.3,99,01,589/-
(Rupees Three Crores Ninety Nine Lakhs and One thousand
Five Hundred and Eighty nine only), with interest @ 20% per
annum on the principal a sum of Rs 2,42,59,595/- (Rupees Two

Crores Forty Two Lakhs Fifty Nine Thousand and Five Hundred



and ninety five) till date of plaint realization and

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(b) Costs of the suit.

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

For Plaintiff : Mr.S.Ramesh

For Defendant : Mr.S.R.Sundar

JUDGMENT

The entire matter which involves a claim, which involves 380 and odd claimants, has been successfully concluded after long drawn mediation.

2.A joint memo of settlement has also been filed to that effect and the same is recorded.

3.This Court extends its appreciation for the mediator's effort and the co-operation that the litigants and their respective counsel have lent.



4. The suit is dismissed as settled in mediation. No costs. The Registry is directed to refund the entire Court fee as per law. Consequently, the connected Applications are closed.

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

24.01.2022

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

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