



WEB COPY



A.No.2511 of 2022

A.No.2511 of 2022
in C.S.(Comm. Suits) No.249 of 2014

SENTHILKUMAR RAMAMOORTHY,J.

The defendant in C.S.(Comm.Suits) No.249 of 2014 has presented this application to rectify an error in the decree. The plaintiff filed a suit seeking recovery of a sum of Rs.4,48,00,986/- with further interest on the principal amount of Rs.3,08,97,232/- at 15% per annum from the date of institution of the suit till the date of realization. By judgment dated 23.03.2022, the suit was partly decreed by directing the defendant to pay a sum of Rs.1,89,93,163/- with interest thereon at 12% per annum from 14.12.2010 till the date of realization by the plaintiff. Learned counsel for the applicant/defendant points out that the decree directs the defendant to pay a sum of Rs.4,46,90,132/- with interest at rate of 12% per annum on the sum of Rs.1,89,93,163/- from the date of decree till the date of realization. It is pointed out that this is at variance with the judgment dated 23.03.2022.

2. On considering the said submissions and on examining the judgment and decree, it should be noticed that the decree directs the



WEB COPY



A.No.2511 of 2022

SENTHILKUMAR RAMAMOORTHY,J.

Anu

defendant to pay the plaintiff a sum of Rs.4,46,90,132/- with interest on the principal sum of Rs.1,89,93,163/- from the date of decree till the date of realization. Therefore, while drawing up the decree, interest has been computed on the sum of Rs.1,89,93,163/- from 14.12.2010 till 23.03.2022. Consequently, further interest has been directed to be paid on the principal sum from the date of decree till the date of realization. There is neither a clerical nor typographical error in the decree that warrants correction. A.No.2511 of 2022 is disposed of with the above observations.

13.07.2022

Anu

A.No.2511 of 2022
in C.S.(Comm. Suits) No.249 of 2014