



O.A.Nos.850, 851 and 852 of 2021

O.A.Nos.850, 851 and 852 of 2021

WEB COPY

M.SUNDAR, J.,

Captioned applications have been listed today under the cause list caption 'FOR REPORTING SETTLEMENT'.

2. Mr.Roshan Balasubramanian, learned counsel for two applicant-Companies and Mr.N.S.Sivakumar, learned counsel for lone respondent in all the three captioned applications are before this Court.

3. Read this in conjunction with and in continuation of earlier proceedings made in the previous listing on 09.03.2022 which reads as follows:

'Read this in conjunction with and in continuation of earlier proceedings made in the previous listing on 23.02.2022.

2. Learned counsel on both sides submit that there has been substantial progress in settlement talks and they are hopeful of settling the matter if one week time is granted.

3. Paragraph 3 of the previous proceedings reads as follows:

'3. Interim order granted by Hon'ble Predecessor Judge on 29.12.2021 in one of the three captioned applications i.e., O.A.No.850 of 2021 (paragraph No.7 of



WEB COPY



O.A.Nos.850, 851 and 852 of 2021

29.12.2021 proceeding/order of Hon'ble Predecessor Judge) which has been extended from time to time and is operating now will continue to operate for a fortnight from today.'

The aforementioned interim order to continue until further orders.

4. List under the same caption on 17.03.2022.'

4. Adverting to the aforementioned earlier proceedings, both learned counsel submit that two applicants i.e., two applicant-Companies and lone respondent have since arrived at a settlement and terms of settlement have been reduced to writing by way of a 'memorandum of compromise dated 14.03.2022 together with a 98 pages Schedule' [hereinafter 'said MOU' for the sake of convenience and clarity].

5. Aforementioned said MOU has been filed in the Registry and placed before this Court today.

6. Both the learned counsel submit that said MOU is executed in triplicate, one is retained by two applicant-Companies, second is retained by lone respondent and third is before this Court.



O.A.Nos.850, 851 and 852 of 2021

WEB COPY

7. Both the learned counsel, on instructions, made a common request i.e., a request that the captioned applications may please be disposed of by making an order in terms of said MOU i.e., by recording said MOU.

8. Mr.Lakshmi Narasimhan Mahadevan, who is authorized signatory for two applicant-Companies, who has signed the original support affidavits in the captioned Section 9 applications as well as said MOU and Mr.R.Satyanarayan, lone respondent in all the three captioned applications are before this Court.

9. Both the litigants, confirm that said MOU has been duly signed by them and they reiterated the request that captioned applications may please be disposed of in terms of said MOU i.e., by recording said MOU. Before this Court does that, it is noticed clause 9 of said MOU reads as follows:

'9. The Applicants may be entitled to refund of Court fee under Section 69-A of the Tamil Nadu Court Fees and Suits Valuation Act, 1955 and the Respondent shall, if required, co-operate with the applicants in the attaining of the refund.'



O.A.Nos.850, 851 and 852 of 2021

WEB COPY

10. As an order is being made by this Court, learned counsel for applicants very fairly submits that the applicants are giving up their plea for refund of Court fee under Section 69-A of 'The Tamil Nadu Court-Fees and Suits Valuation Act, 1955 (Tamil Nadu Act XIV of 1955)' [hereinafter 'TN Court Fees Act' for brevity and convenience]. This submission is recorded and therefore, there will be no refund of Court fee in the captioned applications. In other words, clause 9 of said MOU is given up.

11. In the light of the narrative thus far, captioned applications are disposed of by recording said MOU and saying that there shall be an order in terms of said MOU which shall form part of this order. There shall be no order as to costs.

17.03.2022

mk/nsa



WEB COPY



O.A.Nos.850, 851 and 852 of 2021

M.SUNDAR, J.,

mk/nsa

O.A.Nos.850, 851 and 852 of 2021

17.03.2022