



IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

Dated : 29.04.2022

Coram

The Hon'ble Mr. Justice **C.V.KARTHIKEYAN**

A.S.No.686 of 2017
and
C.M.P.Nos.16127 & 16128 of 2018

1.N.R.Srinivasan
2.Sasi Srinivasan

... Appellants

Vs

1.M/s.Sagar Investments,
Represented by its Managing Partner,
T.Jayaraman,
No.69, Peters Road Royapettah,
Chennai – 600 014.

2.Muktha S.Sunder

... Respondents

Appeal Suit filed under Section 96 of CPC to set aside the judgment and decree dated 09.02.2017 in O.S.No.725 of 2011 on the file of the IV Additional City Civil Court, Chennai.

For Appellants .. Mr.T.N.Rajagopalan

For R1 .. Mr.P.L.Narayanan

For R2 .. Mr.V.V.Sathya



WEB COPY

J U D G M E N T

I must place on record my deep appreciation for the efforts taken by both Mr.T.N.Rajagopalan, learned counsel for the appellants / defendant and Mr.P.L.Narayanan, learned counsel for the respondent / plaintiff who have through their good offices, persuaded the appellants and the respondent to understand that it would be prudent in their interest that the issues in the appeal are settled amicably.

2. Accordingly, a Memorandum of Compromise has been presented before this Court which is dated 23.04.2022. I am informed that this appeal is one of three other appeals. The other three appeals were listed before the Division Bench owing to the valuation of the appeal being more than what can be adjudicated by a Single Judge. Similar Memorandum of Compromise has been presented and recorded by the Division Bench in the said three appeals.

3. Today, quite apart from the learned counsels, the authorized representative of the 2nd appellant, is present. The authorized appellant is actually a counsel practicing in this Court, Mrs.Sudharsana Sunder and I have no reason to doubt that the compromise had been entered into with



consensus ad ideum by the appellants and the respondent.

WEB COPY

4.The respondent is a partnership firm and is represented by Ms.Sanjini Jayaraman, who is also present in Court.

5.Both the parties acknowledges the Memorandum of Compromise and also the terms there of. The respondent herein, had acknowledged a sum of Rs.30,00,000/- as having been paid full and final settlement of all claims against the appellants in all the four appeals including the present appeal.

6.In view of the Memorandum of Compromise, the appeal is dismissed by recording the Memorandum of Compromise. The joint Memorandum of Compromise shall form part of the decree. It is hoped that this compromise would bring to an end the litigation between the parties.

7.In view of the fact that the parties had thought it prudent to settle the issues, the appellants are entitled for refund of Court fees paid in the appeal under Section 69-A of the Tamil Nadu Court Fees and Suits Valuation Act, 1955 and in accordance with the rules and regulations



governing refund.

WEB COPY

8.The First Appeal is dismissed in terms of the joint memorandum of compromise. No costs. Consequently, connected miscellaneous petitions are closed.

29.04.2022

Internet:Yes/No

Index:Yes/No

kkn/smv

To

- 1.The IV Additional City Civil Court, Chennai.
- 2.The Section Officer, VR Section, High Court of Madras.



WEB COPY



C.V.KARTHIKEYAN, J.

SMV/KKN

A.S.No.686 of 2017
and
C.M.P.Nos.16127 & 16128 of 2018

29.04.2022