



WEB COPY



A.S.No.390 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.02.2023

CORAM :

THE HONOURABLE MR. JUSTICE S.S. SUNDAR

AND

THE HONOURABLE MR. JUSTICE A.A.NAKKIRAN

A.S.No.390 of 2016
and C.M.P.No.1489 of 2023

Muktha Film &
Video Production Tamil Film Producers &
Distributors,
Rep. by its Prop. Mr.Muktha S.Sunder,
No.213, St. Marys Road,
Mandaveli,
Chennai – 600 028.

...Appellant/Defendant

Vs.

Sanjay A.Wadhwa HUF-II,
No.708, Shivalaya, “A Block”,
198, Ethiraj Salai, Egmore,
Chennai – 600 105
Rep. by Kartha Sanjay A.Wadhwa

...Respondent/Plaintiff

Prayer : Appeal Suit filed under Section 96 r/w. Order 41 of Code of Civil Procedure against the judgment and decree dated 18.08.2015 in O.S.No.6883 of 2010 on the file of the Additional City Civil Court, Chennai.

For Appellant : Mr.R.Akash

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For Respondent : Mr.K.Hari Shankar

J U D G M E N T

(Judgment was delivered by **S.S. SUNDAR, J.**)

This appeal is preferred against the judgment and decree dated 18.08.2005 in O.S.No.6883 of 2010 on the file of the I Additional City Civil Court, Chennai.

2.The learned counsel appearing for the appellant and respondent have produced a copy of Memo of Compromise dated 01.01.2023 which was signed by the parties as well as their respective learned counsels. As per the Memo of Compromise, the parties have agreed to the terms and settled their dispute amicably out of Court.

3.The terms and conditions of the Memo of Compromise dated 01.02.2023 are as follows:



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1.The respondent has agreed to settle the above claim by receiving a sum of Rs.7,00,000/- (Rupees Seven Lakhs Only) as full and final settlement by way of cheque No.089491 dated 01.03.2023 Drawn on ICICI Bank, Cenotaph Road Branch, Chennai.

2.If the aforesaid cheque for whatever reason is dishonoured the respondent is entitled to enforce the decree dated 18.08.2015 in O.S.No.6883 of 2010 of the I Additional Judge City Civil Court, Chennai.

3.The appellant is entitled for refund of the Full Court fee paid in the A.S.No.390 of 2016 pending on the file of the Hon'ble High Court, Madras.

4.Both the parties herein shall have no claim against each other once the above mentioned cheque is honoured on presentation, as per this Memorandum of compromise being recorded before this Hon'ble Court.



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4.The Memo of Compromise signed by the parties along with their

respective learned counsels shall form part of the record.

5.Considering the submissions and Memo of Compromise dated 01.02.2023, that the appeal is dismissed as settled out of Court. The appellant is entitled to refund of the Court fee, which will be paid by way of cheque or demand draft drawn in favour of Mr.Muktha S.Sunder, the appellant's proprietor. No costs. Consequently connected miscellaneous petition is closed.

(S.S.S.R., J.) (A.A.N., J.)
02.02.2023

cda

Internet : Yes

Index : Yes / No



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To

1.The I Additional City Civil Court, Chennai.

2. Mr.Muktha S.Sunder,
Proprietor,
Muktha Film &
Video Production Tamil Film Producers & Distributors,
No.213, St. Marys Road,
Mandaveli,
Chennai – 600 028.

3.Kartha Sanjay A.Wadhwa
Sanjay A.Wadhwa HUF-II,
No.708, Shivalaya, “A Block”,
198, Ethiraj Salai, Egmore,
Chennai – 600 105

4.The Section Officer,
VR Section, High Court,
Chennai.



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S.S. SUNDAR, J.
and
A.A.NAKKIRAN, J.

cda

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