



WEB COPY

O.S.A.No.285 of 2



THE HIGH COURT OF JUD ICATURE AT MADRAS

DATED: 27.09.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
AND
THE HONOURABLE MRS.JUSTICE R.KALAIMATHI

O.S.A.No.285 of 2013

and

M.P.No.1 of 2013

M/s.A.R.Brothers,
No.84 (New No.14),
Sydenhams Road, Chennai - 600 112.

...Appellant

Vs.

1.P.T.Lee Chengalvoraya Naicker Trust,
Represented by its Board of Trustees,
1.Mr.Justice K.M.Natarajan,
2.Mr.N.Athimoolam,
3.Mr.C.Jagannathan,
4.Mr.M.Bala Krishnan,
5.Mr.C.Ram Manohar Rao,
6.Mr.V.Ramarajan,
7.Dr.S.Jayachandran,
8.Mr.M.K.Sampath,
9.Mr.L.V.L.Madhavan,
All having their Office at No.2-3,
EVK Sampath Road, Vepery,
Chennai - 600 007.



10.M/s.Aishma Customs Private Bonded Warehouse,
(All India Skin and Hide Tanners and
Merchants Association),
No.6, Maddox Road,
Choolai, Chennai - 600 112.

11.M/s.Ramnath and Company,
No.69-C, Maddox Road,
Choolai, Chennai - 600 112.

12.M/s.Lloyds Insulation (India) Ltd.,
No.28, Salai Street, Chennai - 600 112.
(R12 deleted - vide Order of Court
dt. 22.08.2017 made in OSA.No.285 of 2013)

...Respondents

Prayer: Original Side Appeal filed under Clause 15 of the Amended Letters Patent of 1865 under Order XXXVI, Rule 1 of the Original Side Rules, against the judgment and decree passed in C.S.No.416 of 1997 dated 13.06.2013.

For Appellant : Ms.V.Srimathi

For Respondents :Mr.E.Manoharan for R1
Mr.Zafarullah Khan for R10
R2 to R9 & R11 - No Appearance
R12 -Deleted vide Court order dt. 22.08.2017



J U D G M E N T

WEB COPY

(Judgment of the Court was made by R.SUBRAMANIAN, J.)

This appeal is against a decree for delivery of possession and damages. Pending appeal, the possession of the property has been handed over to the 1st respondent Trust. The dispute was only with reference to payment of damages. As regards damages, the parties have arrived at a settlement for one time payment of Rs.18,00,000/ in full quit of the claims of the Trust and the said Rs.18,00,000/- has also been paid by the appellant to the Trust by way of cheques and the cheques have also been encashed. Hence, nothing survives in the appeal. The compromise is recorded. This Original Side Appeal is disposed of in terms of the compromise. The memo of compromise shall form part of the decree. No costs. Consequently, connected miscellaneous petition is closed.

(R.S.M.,J.) (R.K.M.,J.)

27.09.2023

kkn

Internet: Yes

Index: No

Non-speaking order

Neutral Citation : No

3/4



WEB COPY



O.S.A.No.285 of 2

R.SUBRAMANIAN, J.
and
R.KALAIMATHI, J.

KKN

O.S.A.No.285 of 2013
and
M.P.No.1 of 2013

27.09.2023