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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.01.2023

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

C.S.(Comm.Div.)No.74 of 2022
and
O.A.No.206 of 2022
and
A.Nos.1672, 3414 & 3416 of 2022

Collegedunia Web Private Limited,
Represented by its Authorised Signatory
Mr.Sidharth Sablania
Having its Corporate Office at
4th Floor, Plot No.418-419,
AIHP Signature Tower, Phase IV,
Sector 18, Gurugram,
Haryana - 122 015. ... Plaintiff

Vs

1.SRM Institute of Science and Technology,
A Public Trust,
Represented by Trustees who are named
as Defendants 2 to 6
Having its Office at
No.3, Veerasamy Street,
West Mambalam,
Chennai - 600 033.

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And also at

Bharathisalai, Ramapuram,
Chennai - 600 089.

2.Dr.T.Parrivendhar,
Founder and Managing Trustee,
with his Office at
No.3, Veerasamy Street,
West Mambalam,
Chennai - 600 033.

3.Mrs.P.Eswari,
Trustee,
with Office at
No.3, Veerasamy Street,
West Mambalam,
Chennai - 600 033.

4.Mr.P.Ravi,
Trustee,
with Office at
No.3, Veerasamy Street,
West Mambalam,
Chennai - 600 033.

5.Mr.P.Sathyanarayanan,
Trustee,
with Office at
No.3, Veerasamy Street,
West Mambalam,
Chennai - 600 033.

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6.Mr.Niranjansivakumar,
Trustee,
with Office at
No.3, Veerasamy Street,
West Mambalam,
Chennai - 600 033.

7.SRM Technologies Private Limited,
Represented by its 2nd and 5th defendant
as Directors
Having its Registered Office at
No.24, G.N.Chetty Road,
T.Nagar, Chennai - 600 017. ... Defendants

Prayer: This Civil Suit is filed under Order VII Rule 1 of the Code of Civil Procedure, 1908 read with Order IV Rule 1 of the Original Side Rules, 1956 and Section 7 of the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act No.4 of 2016, prayed for a Judgment and Decree:-

i) Directing the first defendant represented by defendants 2 to 6 and 7th defendant to jointly and severally pay to the plaintiff a sum of Rs.1,67,24,504/- (Rupees One Crore Sixty-Seven Lakhs Twenty-Four Thousand Five Hundred and Four Only) comprising of Rs.1,40,50,000/- as principal and interest at the rate of 18% per annum from 18 February 2021 till the date of filing suit (11 March 2022) amounting to Rs.26,74,504/-.

ii) Directing the first defendant represented by defendants 2 to 6 and 7th defendant to jointly and severally pay to the plaintiff interest at the rate of 18% per annum on principal sum of Rs.1,40,50,000/- at the

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rate of 18% per annum from the date of the suit till the date of realization.

iii) Costs of the suit.

For Plaintiff : Mr.N.P.Vijay Kumar

For Defendants :

For D1 to D6 : Mr.B.Sudhir Kumar

For D7 : Mr.C.Jagadish

JUDGMENT

Both the plaintiff and the contesting defendant have filed a Settlement Agreement and therefore, they do not wish to proceed further with the suit and an endorsement has been made to that effect by the learned Counsel for the plaintiff and the first defendant.

2. Under these circumstances, the suit along with the Counter Claim is dismissed as withdrawn.

3. Considering the fact that the case has not proceeded further with the trial and no issues have been framed, I am inclined to order

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refund of the Court Fee in terms of Section 69-A of the Tamil Nadu Court-Fees and Suits Valuation Act, 1955. Registry is therefore directed to refund the Court Fee paid by the plaintiff and the first defendant after due adjustments, in accordance with the provisions of the Tamil Nadu Court-Fees and Suits Valuation Act, 1955, within a period of four weeks from today. No costs. Consequently, connected Original Application and Applications are closed.

10.01.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order

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