



C.R.P.(NPD)Nos.4950 & 4951 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.09.2023

CORAM:

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

C.R.P.(NPD)Nos.4950 and 4951 of 2014

Hitech (YAS) Blue Metals
Represented by its Managing Partner,
YAS Srinivasan,
9/38, Main Road,
Athanur Post, Rasipura Taluk,
Namakkal District – 636 301.

.. Petitioner in
both CRPs

Vs.

1.Metso Minerals (India) Private Limited,
Represented by its Managing Director,
DLF Building No.10, Tower A,
1st Floor, DLF Cyber City Phase I,
Gurgaon – 122 002.

2.Mukunda,
Vice President,
M/s.Metso Minerals (India) Private Limited,
306, Third Floor,
Bardon Centre, No.84, M.G.Road,
Bangalore – 1.



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3.B.Venkataraman,

Deputy Manager (Sales),

Representing M/s.Metso Minerals (India) Private Limited,

Central Square, 1, Fifth Floor,

Cipet Road, Thiru.Vi.Ka, Industrial Estate,

Guindy, Chennai – 600 032.

.. Respondents in
both CRPs

PRAYER in CRP(NPD)No.4950 of 2014 : Civil Revision Petition is filed under section 115 of Civil Procedure Code, to set aside the Fair and Decreetal orders, dated 13.03.2014 in I.A.No.60 of 2013 in O.S.No.5657 of 2012 on the file of the XVII Additional City Civil Court, Chennai.

PRAYER in CRP(NPD)No.4951 of 2014 : Civil Revision Petition is filed under section 115 of Civil Procedure Code, to set aside the consequential Judgement, dated 13.03.2014, in O.S.No.5657 of 2012 on the file of the XVII Additional City Civil Court, Chennai.

For Petitioner : Mr.S.Kalyanaraman

For Respondents : Mr.Aditya Reddy
Mr.M.K.Kabir (appointed as Mediator)



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COMMON ORDER

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This revision arises against an order passed by the learned trial Judge referring the parties to workout their rights by way of an Arbitration.

2.The suit had been presented for recovery of money in O.S.No.5657 of 2012. The basis of the suit was that certain contracts had been placed by the plaintiff to the defendants and the defendants had kept aside (retained) Rs.10,00,000/- (Rupees ten lakhs only) and had refunded only Rs.40,00,000/- (Rupees forty lakhs only). The suit had been presented for refund of the said amount.

3.When the matter came up before me, I requested the services of Mr.M.K.Kabir, learned Senior Counsel to settle the matter by way of Mediation.

4.Due to the efforts of Mr.M.K.Kabir, the parties have finally settled the matter. The defendants have agreed to pay the plaintiff a sum of Rs.4,00,000/- (Rupees four lakhs only).

5.Mr.Aditya Reddy, learned counsel appearing for the



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defendants/respondents had handed over a cheque drawn on Standard Chartered Bank, Delhi bearing No.809532 for a sum of Rs.4,00,000/- (Rupees four lakhs only) to Mr.S.Kalyanaraman, learned counsel for the petitioner. He has received the cheque across the bar. The issue having been settled, the plaintiff will be entitled to refund of the Court fee paid by him in O.S.No.5657 of 2012, on the file of the XVII Additional Judge, City Civil Court, Chennai.

6.The Mediation report which has been filed by Mr.M.K.Kabir, learned Senior Counsel, is taken on record.

7.This Court place on record its immense gratitude for the services rendered by Mr.M.K.Kabir. Both the Civil Revision Petition has been disposed of. No costs.

11.09.2023

Index:Yes/No

Speaking Order :Yes/No

Neutral Citation:Yes/No

mkn2/vs

To

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The XVII Additional City Civil Court,
Chennai.

V.LAKSHMINARAYANAN,J.

mkn2/vs

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