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Civil Revision Petition Nos.626 & 1165 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.03.2023

CORAM :

**THE HONOURABLE MR.JUSTICE R.MAHADEVAN
and
THE HONOURABLE MR. JUSTICE MOHAMMED SHAFFIQ**

Civil Revision Petition Nos.626 & 1165 of 2020

and

CMP.Nos.3271 & 3274 of 2020

Bank of India,
Atchuthapuram Branch,
10-68, Mosayyapet,
Atchuthapuram,
Vishakapatnam - 531 011.

.. Petitioner in CRP.No.626 of 2020

The Hongkong and Shanghai
Banking Corporation Ltd.,
Represented by its Vice President,
HSBC Building, Rajaji Salai,
Chennai 600 001.

.. Petitioner in CRP.No.1165 of 2020

Versus

1. The Hongkong and Shanghai
Banking Corporation Ltd.,
Represented by its Vice President,
HSBC Building, Rajaji Salai,
Chennai 600 001.

2. G.R.Enterprises,
A proprietary concern of Mr.G.R.Mohan,
No.103, Dr.R.K.Salai, Mylapore,
Chennai 600 004.



3. M/s. Venkateshwara Traders,
Old No.194, New No.3, Annapillai Street,
STS Complex, Paris Corner, Chennai - 600 001,
Also at 15-20, Aganampudi, 1RH Colony,
Gajuwaka Mandal, Vishakapatinam.

4. Mr.G.S.P. Subramanyam,
MIG-17, Sector-3, Renuka Executive Residency,
MVP Colony, Vishakapatinam 531 017.

.. Respondents in CRP.No.626 of 2020

1. Bank of India,
10-68, Mosayyapet,
Atchuthapuram,
Vishakapatinam - 531 011.

2. G.R.Enterprises,
A proprietary concern of Mr.G.R.Mohan,
No.103, Dr.R.K.Salai, Mylapore,
Chennai 600 004.

3. M/s. Venkateshwara Traders,
Old No.194, New No.3, Annapillai Street,
STS Complex, Parry's Corner, Chennai - 600 001,
Also at 15-20, Aganampudi, 1RH Colony,
Gajuwaka Mandal, Vishakapatinam.

4. Mr.G.S.P. Subramanyam,
MIG-17, Sector-3, Renuka Executive Residency,
MVP Colony, Vishakapatinam 531 017.

.. Respondents in CRP.No.1165 of 2020

Prayer in C.R.P.No.626 of 2020 : Civil Revision Petition filed under Article 227 of Constitution of India, to set aside that part of the order dated 30.08.2019 made in R.A.No.36 of 2015 by the Debts Recovery Appellate Tribunal at Chennai allowing the O.A.in part to the extent of 50% of the O.A.



principal amount against the petitioner and dismiss the O.A.No.74 of 2011, on the file of Debts Recovery Tribunal - II, Chennai, in entirety and render justice.

Prayer in C.R.P.No.1165 of 2020 : Civil Revision Petition filed under Article 227 of Constitution of India, to set aside the order dated 30.08.2019 made in R.A.No.36 of 2015 of the Debts Recovery Appellate Tribunal at Chennai, to the extent of allowing the DRAT appeal in part in favour of the first respondent herein partially reversing the order of the order dated 11.05.2015 made in order No.74 of 2011, on the file of the Debts Recovery Tribunal - II, Chennai and render justice.

C.R.P.No.626 of 2020:-

For Petitioner	:	Mr.R.Gowthamanarayanan
For R1	:	Mr.Surya Teja S.S.Nalla for Mr.Srinath Sridevan
For R4	:	No appearance

C.R.P.No.1165 of 2020:-

For Petitioner	:	Mr.Surya Teja S.S.Nalla for Mr.Srinath Sridevan
For R1	:	Mr.R.Gowthamanarayanan
For R4	:	No appearance

COMMON ORDER

(Order of the Court was made by R. MAHADEVAN, J.)

Today, when these matters were taken up for hearing, the petitioner and the first respondent along with their respective learned counsel on record are



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2. It is submitted by the learned counsel appearing for both sides that the matters have been amicably settled between the parties. They have filed a joint memo of compromise dated 25.03.2021 signed by the petitioner and the first respondent to that effect.

3. This Court perused the said Joint Memo of Compromise and also enquired the parties about the factum of compromise and the terms of the same, who have admitted the same.

4. In view of the above, these Civil Revision Petitions stand disposed of, in terms of the memorandum of compromise entered into between the parties. Consequently, liberty is granted to the parties to approach the Debt Recovery Tribunal -II for issuance of Recovery Certificate. The joint memo of compromise dated 25.03.2021 filed by the parties shall form part of the order. No costs. Consequently, connected miscellaneous petitions are closed.

[R.M.D., J.] [M.S.Q., J.]
09.03.2023

Index : Yes / No
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