



WEB COPY



C.S.Nos.946 and 947 of 2009

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :18.07.2024

CORAM:

THE HON'BLE MR. JUSTICE P.B. BALAJI

C.S.Nos.946 and 947 of 2009

Mohana Prasad Plaintiff in C.S.No.946 of 2009

Kasturi Pandarinath Plaintiff in C.S.No.947 of 2009

VS

1.Gemini International
Rep by A.P.Dwarakanath
80, Ramasamy Street,
Mannady, Chennai-600 001.

2. A.P.Dwarakanath
3. D.Mahesh
4.Mrs.Kasturi Dwarakanath
5.A.P.Mani
6.A.L.Balasubramanian
7.N.M.Murthy
8.P.G.Lakshmipathy
9.P.G.Lakshmipathy (HUF)
Rep by P.G.Lakshmipathy

... Defendants 1 to 9 in both the suits

10.Kasturi Pandarinath ... 10th Defendant in C.S.No.946 of 2009

10. Mohan Prasad ... 10th Defendant in C.S.No.947 of 2009



C.S.Nos.946 and 947 of 2009

C.S.No.946 of 2009:

Plaint filed under Order IV Rule 1 of O.S. Rules read with Order VII Rule 1 of Civil Procedure Code praying for (i) directing the defendants 1 to 7 to pay to the plaintiff the admitted and undisputed sum of Rs.60,69,699/-;(ii) for appointment of a Commissioner to scrutinize the accounts of the 1st defendant firm for the period 1.04.2005 to 28.02.2006 and to determine the actual amount due and payable to the plaintiffs, in accordance with law and directing the said defendants to pay to the plaintiff such sum as may be found due to them on such scrutiny of accounts with interest at 18% p.a from 1.03.2006 till date of payment and (iii) directing the defendants 1 to 7 to pay to the plaintiffs interest at 18% per annum on a sum of Rs.36,89,787/- from the date of suit till the date of payment.

C.S.No.947 of 2009:

Plaint filed under Order IV Rule 1 of O.S. Rules read with Order VII Rule 1 of Civil Procedure Code praying for (i) directing the defendants to pay to the plaintiff the admitted and undisputed sum of Rs.55,97,188/-;(ii) for appointment of a Commissioner to scrutinize the accounts of the 1st defendant firm for the period 1.04.2005 to 28.02.2006 and to determine the actual amount due and payable to the plaintiffs, in accordance with law and directing the said defendants to pay to the plaintiff such sum as may be found due to them on such scrutiny of accounts with interest at 18% p.a from 1.03.2006 till date of payment and (iii) directing the defendants 1 to 7 to pay to the plaintiffs interest



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at 18% per annum on a sum of Rs.36,89,787/- from the date of suit till the date of payment.

For Plaintiff in both the suits : Mr.G.Rajkumar

For Defendants in both the suits : Mrs.R.Ramya

COMMON JUDGMENT

The learned counsel for the plaintiffs submitted that the parties have amicably resolved their dispute and hence, the suits may be dismissed as settled out of court and prayed for refund of Court fee. He has also made an endorsement to that effect in the court bundle.

2. In view of the endorsement made by the learned counsel for the plaintiffs, both the suits are dismissed as settled out of court. Registry is directed to refund the court fee, as per Law, in the name of the plaintiffs' counsel. No costs.

18.7.2024

sr

Index:yes/no

Speaking Order/Non-speaking order



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C.S.Nos.946 and 947 of 2009

P.B.BALAJI,J.,

SR

To

The Section Officer,
Original Side (Records),
High Court, Chennai.

Common Judgment in C.S.Nos.946 and 947 of 2009

18-7-2024