



C.S.No.257 of 2019

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.02.2024

CORAM

THE HONOURABLE MR. JUSTICE A.A.NAKKIRAN

C.S.No.257 of 2019

Nausad Ali,
Proprietor,
South Indian Timber Traders,
No.65/1, Kundrathur Road,
Madanandapuram, Porur,
Chennai - 600 125.

...Plaintiff

VS

1.Janata Timber & Saw Mill
rep. by its Partner,
K.P.Abdul Rahim,
having its office at
No.144, Lake View Road,
West Mambalam,
Chennai - 600 033.

and Godown at
No.3/390, Kothari Road,
Chembarampakkam,
Opposite to Gdrej Properties,
Chennai - 631 502.



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2.K.P.Abdul Rahim,
Partner,
Janata Timber & Saw Mill,
No.144, Lake View Road,
West Mambalam,
Chennai - 600 033.

3.O.Sajitha Rahim,
Partner,
Janata Timber & Saw Mill,
No.144, Lake View Road,
West Mambalam,
Chennai - 600 033.

...Defendants

Prayer: Civil Suit is filed under Order VII Rule 1 of the Code of Civil Procedure read with Under Order IV Rule 1 of the Original Side Rules praying for a Judgment and Decree for the following reliefs:-

"(a)by directing the defendnats jointly and severally to pay a sum of Rs.1,15,50,262/- @18% interest per annum to the plaintiff from the date of Plaint and till realization,

(b)such other reliefs that this Court may deem fit and proper in the circumstances of the case.

For Plaintiff : Ms.Rekha Sivakumar

For Defendants : Mr.L.Ramkumar for D2



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JUDGMENT

Mr.Nausad Ali, Proprietor, South Indian Timber Traders, is present today.

2.When the matter was taken up today, the learned counsel appearing on either side has submitted that the matter has been settled between the parties and they have entered into a compromise. Pursuant to the same, they have filed a Memorandum of Understanding dated 20.01.2024 which has been duly signed by both the parties and their respective counsel.

3.In view of the submissions made by the learned counsel on either side and recording the Memorandum of Understanding dated 20.01.2024, the Civil Suit is decreed in terms of Memorandum of Understanding and the said Memorandum of Understanding shall form part of the decree. The Court Fee is ordered to be refunded as per law. No costs.



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4.The learned counsel appearing for the plaintiff submitted that they have no further claims against the defendants and sought permission of this Court for raising the order of attachment dated 25.09.2019 in the Suit.

5.Considering the submission of the learned counsel for the defendants and perusing the papers, the order of attachment dated 25.09.2019 is raised and the Registry is directed to communicate this Order to the concerned Sub Registrar, Chennai South Joint-I, so as to enable him to make the necessary entries in his records. The Sub Registrar may not await the communication from the Court but shall proceed to act on the basis of this order if and when the certified copy of this Court is produced before him.

08.02.2024

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A.A.NAKKIRAN,J.

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