



C.S.No.385 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 23.02.2024

CORAM

THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

C.S.No.385 of 2020

1. Mr.Murali Kabirdass

2. Mrs.Hari Priya Murali

3. M/s.Best Cast IT Limited,
Represented by its Director,
Mr.MuraliKabirdass
Having its Office at Plot No.58 [SP],
SF No.184, 185, Sector II, 3rd Cross Street,
Ambattur Industrial Estate,
South Ambattur, Chennai – 600 125.

.. Plaintiffs

Vs.

1. M/s.DLF Commercial Developers Limited,
Having Registered Office at DLF Centre,
Sansad Marg, New Delhi – 110 001 and
Office at DLF Home, Manappakkam,
Chennai – 600 125.

2. M/s. DLF Home Developers Limited,
[Formerly DLF Southern Home Private Limited],
Old No.828, New No.268, Poonamallee High Road,
Next to KKR ENT Hospital, Kilpauk, Chennai – 600 010.



C.S.No.385 of 2020

3. Indiabulls Housing Finance
Limited F-60 Malhotra Bldg.,
2nd Floor, Connaught Palace, New Delhi.
Corporate Office-Indiabulls House,
448-451 Udyog Vihar Phase-V,
Gurgaon-1220

4 TransUnion CIBIL Limited
(Formerly Credit Information Bureau (India)
Limited) One Indiabulls Centre, Tower 2A
19th Floor Senapati Bapat Marg,
Elphinstone Rd., Mumbai-400013

.. Defendants

Civil Suit filed under Order IV Rule 1 of Original Side Rules 1956 read with Order VII Rule 1 CPC praying for the following judgment and decree against the defendants.

(a) Mandatory injunction directing the 3rd Defendant to recover pending amount in respect of Tripartite Agreement dated 25.01.2011 entered into between the 1st plaintiff and 1st to 3rd defendants only from the 1st and 2nd Defendants.

(b) Permanent injunction restraining the 3rd Defendant from collecting any dues in respect of Home Loan Account No.HHLCHE00083056 pursuant to the tripartite Agreement dated 25.01.2011 entered into between the 1st plaintiff and 1st to 3rd defendants from the 1st to 3rd Plaintiffs.

c) for the cost of the suit



C.S.No.385 of 2020

For Plaintiffs : M/s.Rank Associates

For defendants : M/s.Aiyar & Dolia – D2

Mr.T.Sai Krishnan – D3

Mr.S.Parthasarathy – D4

D1 – No appearance

J U D G M E N T

This suit has been filed for mandatory injunction directing the third defendant to recover the pending amount in respect of the Tripartite Agreement dated 25.01.2011, entered between the first plaintiff and the defendants 1 to 3, only from the first and second defendants and for permanent injunction restraining the third defendant from collecting any dues in respect of Home loan pursuant to the Tripartite Agreement entered between the parties and for costs.

2. When the matter is taken up today, the learned counsel for the plaintiffs and the defendants submitted that the dispute between the parties has been settled out of Court and also made an endorsement to that effect.



C.S.No.385 of 2020

The learned counsel for the plaintiffs also requested that the Court Fee paid may be refunded.

3. Accordingly, this suit is dismissed as settled out of Court. Consequently connected application is closed. No costs. The registry is directed to refund the Court Fee as per law to the plaintiffs.

23.02.2024

vrc



WEB COPY



C.S.No.385 of 2020

N.SATHISH KUMAR, J.

VTC

C.S.No.385 of 2020

23.02.2024