



C.S.No.209 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 08.01.2024

CORAM

THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

C.S.No.209 of 2023

A.No.5516 of 2023

B.I.James

.. Plaintiff

Versus

1.C.Thilip Kumar

2.Loganandini

.. Defendants

Civil Suit filed under Order VII Rule 1 CPC read with Order IV Rule

1 of Madras High Court Original Side Rules 1956 read with praying for the following judgment and decree against the defendants.

a) directing the defendants to pay the suit amount a sum of Rs.2,88,00,000/- (Two Crores Eighty Eight Lakhs Only) to the plaintiff along with interest of 18% per annum from the date of plaint until the realisation of the case;

b) direct the defendants to pay costs of the suit to the plaintiff



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For Plaintiff : Mr.B.Shanmuga Priya

For Defendants : Mr.K.S.Navin Balaji for D1

JUDGMENT

The suit has been filed for recovery of a sum of Rs.2,88,00,000/- (Two Crores Eighty Eight Lakhs Only) along with interest of 18% per annum against the defendants.

2. The first defendant is the father of the second defendant. The plaintiff has given up the relief against the second defendant, since, he is only a formal party. Now, the plaintiff and the second defendant entered into a Joint Memo of Compromise, wherein, it is agreed that the first defendant being the owner of the suit property, has already given Power of Attorney to one Mr.Manikandan to sell the property. The said Power Agent is also present before this Court along with the first defendant and it is agreed between the plaintiff and the first defendant that the said Power Agent of the first defendant shall sell the property and realize a sum of Rs.4,00,00,000/- (Four Crores Only) and the remaining sum shall be paid to the plaintiff. The Power Agent also signed the Compromise Memo as a formal party.



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3. The said memo of compromise is recorded and accordingly, this suit is decreed in terms of memo of compromise entered into between the parties and the memo shall form part of the decree. In the event, the parties are not acting, the plaintiff is entitled to decree for the entire amount of the suit along with the interest. No costs. Consequently, the connected application is closed.

08.01.2024

dhk

Internet : Yes

Index : Yes / No

Note: Issue Order Copy on 11.01.2024



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N.SATHISH KUMAR, J.

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