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Appeal (CAD) Nos.27 of 2024 and 27 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.12.2024

CORAM :

THE HON'BLE MR.K.R.SHRIRAM, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

Appeal (CAD) Nos.27 of 2024 and 27 of 2025  
and C.M.P.No.15102 of 2024

1.Josephine Mary  
2.R.Suresh

.. Appellants  
in Appeal (CAD)  
No.27 of 2024 and  
Respondents  
in Appeal (CAD)  
No.27 of 2025

Vs

R.R.Housing (India) Pvt. Ltd,  
rep. by its Managing Director R.Karanaboopathy,  
No.2, 6<sup>th</sup> Street,  
VNR Nagar, Vadavalli,  
Coimbatore-641 041.

.. Respondent  
in Appeal (CAD)  
No.27 of 2024 and  
Appellant  
in Appeal (CAD)  
No.27 of 2025



Appeal (CAD) Nos.27 of 2024 and 27 of 2025

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Prayer : Appeals under Section 13 of the Commercial Courts Act, 2015 read with Section 96 and Order XLIII Rule 1 of CPC against the judgment and decree of the dated 05.02.2024 passed in C.O.S.No.64 of 2023 on the file of the Commercial Court (District Judge Cadre), Coimbatore.

For Appellants in : Mr.P.Giridharan  
Appeal (CAD) No.27 of  
2024 and Respondents in  
Appeal (CAD) No.27 of  
2025

For Respondent in : Mr.R.Bharath Kumar  
Appeal (CAD) No.27 of  
2024 and Appellant in  
Appeal (CAD) No.27 of  
2025

**COMMON JUDGMENT**  
(Delivered by Hon'ble The Chief Justice)

Counsels state that the parties have amicably resolved the matter and tender joint memos in both the appeals, both dated 9<sup>th</sup> June, 2025. The joint memos signed by the parties and their respective advocates are taken on record and marked as “X” for identification. For ease of reference, both the joint memos are scanned and re-produced below:



Appeal (CAD) Nos.27 of 2024 and 27 of 2025

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**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

(Commercial Appellate Division)

**APPEAL (CAD) No. 27 of 2024**

Against

C.O.S No. 64 of 2023

1. Josephine Mary,  
W/o. Raj Kumar,

2. R. Suresh  
Both residing at  
S.F. No. 227/2, Suseela Nagar,  
Veerappa Thevar Colony,  
Nanjundapuram Post,  
Coimbatore 641 036

:: Appellants

Vs

R.R. Housing (India) Pvt. Ltd  
Rep by its Managing Director,  
R. Karanaboopathy

:: Respondent

**JOINT MEMO FILED BY APPELLANTS AND RESPONDENT**

The Appellants and Respondent jointly state as follows:-

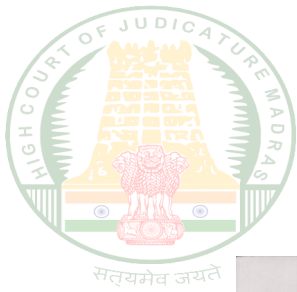
1. That consequent to the orders of this Hon'ble Court dated 29.04.2025, the Appellants and Respondent have resolved the subject matter of the disputes of Appeal CAD No. 27 of 2024 on the file of the Hon'ble Madras High Court arising out of C.O.S.No.64 of 2023 and C.O.S. 143 of 2023, on the file of the Commercial Court, Coimbatore.

2. The Appellants confirm having handed over a Demand Draft bearing No. 594477, dated 02.06.2025 drawn on State Bank of India, SME Branch, Coimbatore for a sum of Rs 1,01,00,000 (Rupees One Crore and One Lakh Only) in favour of RR Housing (India) Pvt Ltd, to Mr. R. Karanaboopathy. The Respondent confirms safe receipt of the said Demand Draft.

3. The Respondent confirms having handed over vacant physical possession of the property which is the subject matter of Appeal CAD No. 27 of 2024 on the file of the Hon'ble Madras High Court arising

P. G. Ravi  
Counsel for appellants

R. Karanaboopathy  
Counsel for Respondent



Appeal (CAD) Nos.27 of 2024 and 27 of 2025

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out of C.O.S.No.64 of 2023 and C.O.S. 143 of 2023, on the file of the Commercial Court, Coimbatore. The Appellants confirm and acknowledge possession of the same from the Respondent.

4. The Appellants and Respondents agree to report the foregoing to the Hon'ble Madras High Court in AS CAD 27 of 2024, at its next hearing scheduled on 16.06.2025 for appropriate directions to record full and final settlement of all disputes which form subject matter of Appeal CAD No. 27 of 2024 on the file of the Hon'ble Madras High Court arising out of C.O.S.No.64 of 2023 and C.O.S. 143 of 2023, on the file of the Commercial Court, Coimbatore.

It is therefore jointly prayed that this Hon'ble Court may be pleased to take the present Joint Memo on record and pass appropriate orders recording full and final settlement of all disputes which form subject matter of Appeal CAD No. 27 of 2024 on the file of the Hon'ble Madras High Court arising out of C.O.S.No.64 of 2023 and C.O.S. 143 of 2023, on the file of the Commercial Court, Coimbatore, and also order refund of court fees to the Appellant and pass such further or other orders in the facts and circumstances of the case and thus render justice.

Dated at Coimbatore this the 9<sup>th</sup> day of June 2025

APPELLANTS

R. Josephine Mary

1. Josephine Mary

2. R. Suresh

counsel to appellants

For RR Housing (India) Private Limited

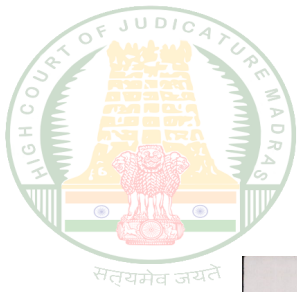
RESPONDENT  
Managing Director

R.R. Housing (India) Pvt. Ltd  
Rep by its Managing Director,  
R. Karanaboopathy

For RR Housing (India) Private Limited

Managing Director

Counsel to Respondent



Appeal (CAD) Nos.27 of 2024 and 27 of 2025

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**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

(Commercial Appellate Division)

**A.P.Pea (CAD) No. 27 of 2025**

Against

**C.O.S No 64 of 2023**

R.R. Housing (India) Pvt. Ltd  
Rep by its Managing Director,  
R. Karanaboopathy

Managing Director

:: Appellant

Vs.

1. Josephine Mary,  
W/o. Raj Kumar,

2. R. Suresh  
Both residing at

S.F. No. 227/2, Suseela Nagar,  
Veerappa Thevar Colony,  
Nanjundapuram Post,  
Coimbatore 641 036

:: Respondents

**JOINT MEMO FILED BY APPELLANT AND RESPONDENTS**

The Appellant and Respondent jointly state as follows:-

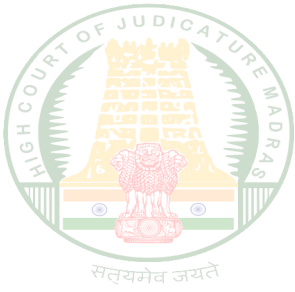
1. It is submitted that the parties to the present dispute have arrived at a settlement and the terms of the settlement are more fully set out in the Joint Memo dated 09.06.2025 filed in the connected appeal i.e. Appeal CAD 27 of 2025. The terms of the same may be read as part hereof.

It is therefore jointly prayed that this Hon'ble Court may be pleased to take the present Joint Memo on record and pass appropriate orders recording full and final settlement of all disputes which form subject matter of Appeal CAD

No. 27 of 2025 on the file of the Hon'ble Madras High Court arising out of C.O.S.No.64 of 2023 and C.O.S. 143 of 2023, on the file of the

P. Gell  
Counsel for Respondent

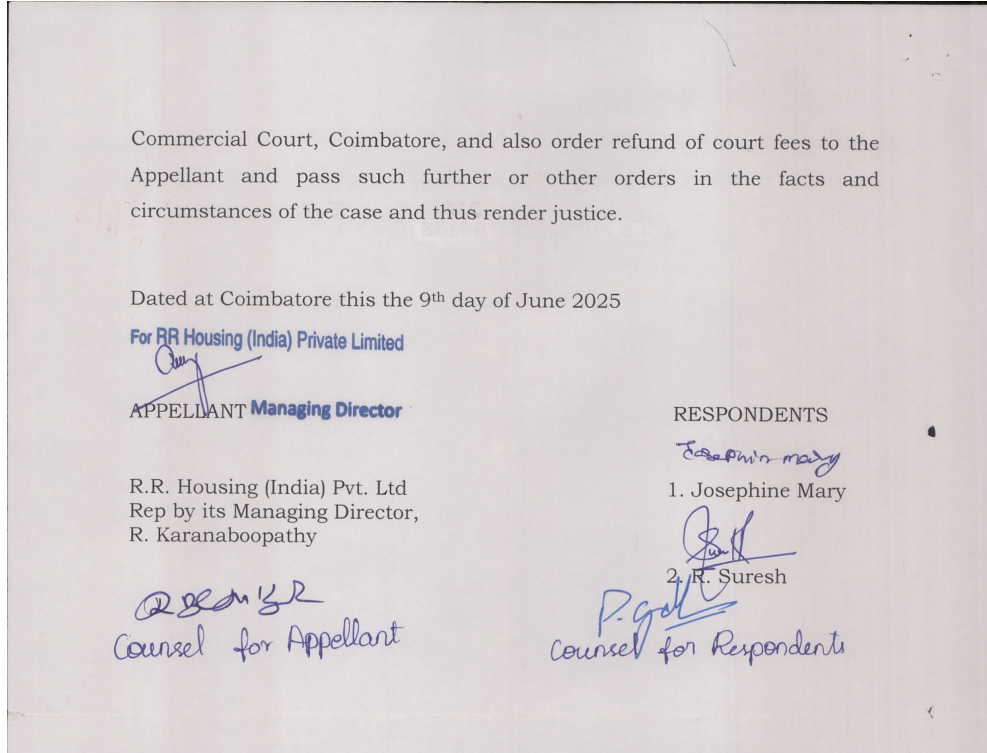
28.6.25  
Counsel for Appellant



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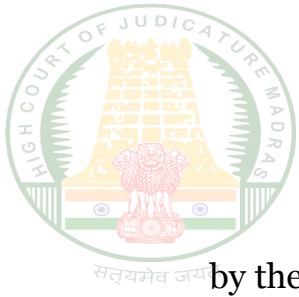
Appeal (CAD) Nos.27 of 2024 and 27 of 2025



2. Ordered in terms of the joint memos filed.

3. Appeals stand disposed of. Refund of court-fees in accordance with the rules. Refund application shall be processed and refund given within four weeks of receiving an application from the advocate on record.

4. All to act based on the copy of this judgment to be authenticated



Appeal (CAD) Nos.27 of 2024 and 27 of 2025

by the Court Officer of this Court.

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There shall be no order as to costs. Consequently, interim application stands closed.

(K.R.SHRIRAM, C.J.)

(SUNDER MOHAN, J.)

16.06.2025

Index : Yes/No  
NC : Yes/No  
bbr

To

The Commercial Court,  
(District Judge Cadre),  
Coimbatore.

Copy to:

The Sub Assistant Registrar,  
Original Side Section,  
Madras High Court.



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Appeal (CAD) Nos.27 of 2024 and 27 of 2025

THE HON'BLE CHIEF JUSTICE  
AND  
SUNDER MOHAN, J.

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Appeal (CAD) Nos.27 of 2024 and 27 of 2025

16.06.2025