



C.S.No.355 of 2004

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated : 23.06.2025

CORAM:

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

C.S.No.355 of 2004

and

E.P.No.113 of 2012

and

A.No.8752 of 2017

and

A.Nos.2403 to 2406 of 2019

M/s.Mahendra Agency
Rep. by its Proprietrix
Mrs.Pramila M. Ranka
No.65/23, Reddy Street,
Villivakkam,
Chennai – 600 049

.. Plaintiff

/versus/

1.M/s.Pasha Associate
Rep. by its Proprietor
Mr.Syed Anwar Pasha
Plot No.1114 and 1651
21st Main Road, Anna Nagar
Chennai – 600 040.

2.Mr.Shafi Mohameed
Plot No.1114 and 1651
21st Main Road, Anna Nagar
Chennai – 600 040.

.. Defendants



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This Civil Suit is filed under Order VII Rule 2 of CPC read with Order IV Rule 1 of Original Side Rules, prayed for a judgment and decree against the Defendants:-

a).Directing the defendants to pay a sum of Rs.10,41,096.49/- with interest of Rs.6,62,053.78 @ 21% per annum from the date of the plaint till realisation.

b).For Costs of this suit.

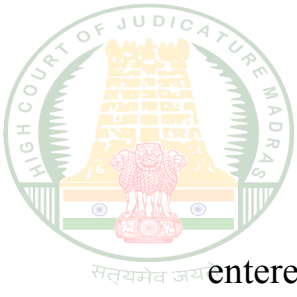
For Plaintiff : Mr.G.D.Vaishnav

For Defendants : Mr.David Tyagaraj

JUDGMENT

The learned counsel for the plaintiff and for the defendants are present today.

2.The suit had been filed seeking a direction against the defendants to pay a sum of Rs.10,41,096.49/- together with interest and for costs of the suit. There has been an order of attachment which had been passed. The matter was referred to the Mediation and Conciliation and it is with much appreciation that I should record the efforts taken by the learned Mediators Mrs.Vijayakumari Natarajan and Mr.R.Vijayakumar who had prevailed upon the parties that it was in their interest to settle all issues. Accordingly, a Settlement Agreement dated 20.09.2024 had been



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entered into between the parties. The original is enclosed along with the mediation report dated 24.09.2024.

3. Both the learned counsels affirmed that the parties have actually entered into settlement and the learned counsel for the defendants states that the amount claimed had also been paid to the plaintiff, which fact is also confirmed and affirmed by the learned counsel for the plaintiff. In view of this particular fact, it would only be prudent that the suit is dismissed as settled out of Court. The plaintiff is entitled for refund of Court fees as per law.

4. An Execution Petition had also been filed and against an order passed by the learned Master, the defendants are in appeal before this Court. The execution petition and the applications are listed before this Court. Since the suit had been settled, E.P.No.113 of 2012 stands closed. All connected applications stand closed. Very specifically the application by which attachment had been ordered, stands dismissed and the attachment is directed to be raised and is raised. If any entry had been made in the encumbrance about attachment of the property, then the



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defendants may address the Sub-Registrar to note raising of attachment
by this Court.

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smv

Neutral citation : Yes / No

Index : Yes / No

Speaking order : Yes / No



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C.V.KARTHIKEYAN,J.

smv

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