



CRP(MD).No.1495 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.01.2025

CORAM

THE HONOURABLE MRS JUSTICE K. GOVINDARAJAN THILAKAVADI

C.R.P(MD)No. 1495 of 2024 and
CMP(MD).No. 8827 of 2024

Vivekanandhan

: Petitioner / respondent

Vs.

M/s. Sriram City Union Finance Ltd.,
Door.No.5C/5A, 1st Floor,
Sumangali Shopping Complex,
Vannarapettai, Tirunelveli District,
rep. by its Power of Attorney.
E.Mariappan

: Respondent / petitioner

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India to call for the records and set aside the fair and decretal order, dated 01.09.2023 made in E.P.No.230 of 2019, on the file of the Principal Sub Court, Tenkasi in ACP.No.04 of 2014 on the file of the Sole Arbitrator, Tirunelveli.

For Petitioner

: Mr. C. Senthil Murugan

Fir respondent

: Mr. J.Barathan



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ORDER

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This Civil Revision Petition has been filed against the fair and decretal order, dated 01.09.2023 made in E.P.No.230 of 2019, on the file of the Principal Sub Court, Tenkasi in ACP.No.04 of 2014 on the file of the Sole Arbitrator, Tirunelveli.

2. When the matter was taken up for hearing on 11.12.2024, the learned counsel appearing for both sides submitted that there is every possibility for settlement between the parties and therefore, the matter may be referred to Tamil Nadu Mediation and Conciliation Centre attached to this Court and accordingly, it was referred to Mediation. On 07.01.2025, this Court received the Mediation report from the Tamil Nadu Mediation and Conciliation Centre attached to this Court stating that the Mediation was completed and the agreement is enclosed. The settlement agreement entered into between the parties is extracted as hereunder:

Settlement Agreement

This Settlement Agreement entered into on 06.01.2025 between Vivekanandhan (m/46), S/o. Thirumalaikozhunthu , Door.NO.48, Mela Street, Sivakamipuram, Keelapavur, Alangulam Taluk, Thenkasi District.



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and

M/s. Sriram City Union Finance Ltd., Door No. 5C/5A, 1st Floor, Sumangali Shopping Complex, Vannarapettai, Thirunelveli District, rep. by the Power of Attorney, E.Marippan.

1.Disputes and differences had arisen between the parties hereto and CRP(MD).No.1495 of 2024 was filed on 02.07.2024 before the Madurai Bench of Madras High Court.

2.The matter was was referred to mediation / conciliation vide an order, dated 11.12.2024 passed by Honourable Mrs. Justice.K.Govindarajan Thilakavadi.

3.The parties agreed that Mr.V.Srinivasan and Mr.K.Ponnaiah would act as their Mediator / Conciliator.

4.Several meetings were held during the process of Mediation / Conciliation from 11.12.2024 to 06.01.2025 and the parties have with the assistance of the Mediator / Conciliator voluntarily arrived at an amicable solution resolving the above mentioned disputes and differences.

5. The parties hereto confirm and declare that they have voluntarily and of their own free will arrived at this settlement Agreement in the presence of the Mediator / Conciliator.

6.The following settlement has been arrived at between the parties hereto:

A. The parties agreed that the petitioner has paid the sum of Rs.1,40,000/- to the respondent for the loan taken by him as full and settlement and as such paid the amount through Demand Draft No.947987, dated 06.01.2025



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B. Herein after there will be no more claims in this regard by either party in future.

C. The respondent undertakes to return back all the documents obtained towards the loan within 1 month from the date of order.

7. By signing this Agreement the Parties hereto state that they have no further claims or demands against each other with respect to CRP(MD).No.1495 of 2024 and all disputes and differences in this regard have been amicably settled by the parties hereto through the process of conciliation / Mediation.”

3. Since the parties and the respective counsel for the parties have signed before the Mediator, the presence of the parties before this Court is dispensed with. The Settlement agreement entered into between the parties is recorded.

4. The learned counsel appearing for the revision petitioner submitted that an amount of Rs.50,000/- was deposited before the trial Court in the Execution Proceedings and seeks for a direction for withdrawal of the said amount. Hence, the petitioner is permitted to withdraw the said amount by filing necessary application before the



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executing Court.

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5. In view of the above, this Civil Revision Petition is disposed of. The settlement agreement entered into between the parties shall form part of this order. No costs. Consequently, the connected Miscellaneous Petition is closed.

20.01.2025

Index : Yes / No
Internet : Yes/ No
trp

To

The Principal Sub Court, Tenkasi



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trp

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