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A.S.No.1248 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2026

CORAM

THE HONOURABLE MR . JUSTICE N.SATHISH KUMAR

AND

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

A.S.No.1248 of 2025

&

C.M.P.No.32344 of 2025

1. M/s.Pathfinder Enterprise Solution
Private Limited , represented by its Directors
(amended as per order in I.A.No.3 of 2021
dated 23.10.2021)
No.42, Perambur Barracks Road, Vepery
Chennai – 600 007
 2. Mr.Mohammed Sadiq Ahmed
Door No.4, Plot No.200 & 201
1st South Cross Street
Sri Kapalesswarar Nagar, Neelangarai
Chennai – 600 041
 3. Mr.Mohammed Ahmed Hussain
No.35, Raja Nagar, 1st Main Road
Neelankarai, Kancheepuram District
Chennai – 600 115
- ... Appellants

Versus



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1. Mrs.Vijayalakshmi Thilagaraj

2. Mr. Abdul Khaliq Siddique

3. Ms.Saidha P.M

... Respondents

First Appeal filed under Order XLI Rule 1 read with Section 96 of CPC to set aside the judgment and decree dated 24.04.2024 passed in O.S.No.1132 of 2021 on the file of IV Additional City Civil Court, Chennai by allowing appeal with costs throughout.

For Appellants : Mr.L.Murali Krishnan

For Respondent : Mr.V.Chandrakanthan

JUDGMENT

(Judgment of the Court was made by **N.SATHISH KUMAR, J.**)

This appeal has been filed by the defendants challenging the judgment and decree of the trial Court dated 24.04.2024 decreeing the suit for recovery of a sum of Rs.35,27,934/- from the defendants, with subsequent interest on Rs.31,78,319/- at the rate of 12% per annum from the date of filing of the suit till its realization.

2. The parties agreed to settle the matter for a sum of Rs.35,00,000/-.

When the appeal was listed before this Court on 19.12.2025, a Demand Draft drawn in favour of first respondent for a sum of Rs.10,00,000/- was



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produced by the appellants and it was submitted by the appellants that the balance amount of Rs.25,00,000/- would be paid on or before 09.01.2026 and the matter was directed to be listed on 12.01.2026. On 12.01.2026, it was submitted by the appellants that he could not mobilize funds to pay the remaining amount of Rs.25,00,000/- and he was able to take Demand Draft only for Rs.15,00,000/- and sought two more weeks time to pay the balance amount of Rs.10,00,000/-. This Court considering the fact that 80% of the amount has already been paid, granted two more weeks time and directed the matter to be listed on 29.01.2026. On 29.01.2026, learned counsel for the appellant has handed over the Demand Draft for the balance amount after deducting the TDS amount. However, learned counsel for the respondent submitted that the first respondent has already paid the tax. Hence, this Court directed the appellant to produce Form 16-A and relevant documents to enable the first respondent to seek refund.

3. Today, the learned counsel for the appellants has produced the documents. However, the learned counsel for first respondent would submit that in Form 16 produced by the appellants, Employee Reference Number has been wrongly given and according to learned counsel, the first respondent may face difficulty in claiming the refund. Except the said



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objection, settlement of other dues is not disputed.

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4. Admittedly, a sum of Rs.1,83,803/- has been paid towards TDS and first respondent's PAN Number is also given and hence, there will not be any difficulty for the first respondent to claim refund. However, if any further clarification or any further document is required, the appellants are directed to provide the same to the respondent.

5. This Court is of the view that since the agreed amount of Rs.35,00,000/- has been paid, nothing survives for adjudication in this appeal and the same is liable to be dismissed.

Accordingly, this appeal suit is dismissed. Execution Petition No.1539 of 2025 pending before the IX Assistant Judge, City Civil Court, Chennai may be terminated by the trial Court. Consequently, the connected miscellaneous petition is closed. There shall be no order as to costs.

[N.S.K.,J.] [R.S.V.,J.]
05.02.2026

Index: Yes/No
Neutral Citation: Yes
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To

1. IV Additional City Civil Court
Chennai

2. The Section Officer
VR Section
Madras High Court



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AND
R. SAKTHIVEL, J.,

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