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CMP Nos. 32053 & 32057 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-02-2026

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THE HON'BLE MR JUSTICE C.V. KARTHIKEYAN

AND

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

**CMP Nos. 32053 & 32057 of 2025
in O.S.A.(CAD).Nos.39 & 40 of 2024
and O.S.A.(CAD) No.54 of 2024**

Aavanor Systems LLP,
(Formerly known as Aavanor
Systems Private Limited),
Represented by its Partner M.Vennimalai,
S-60, 20th Street, Anna Nagar,
Chennai -600 040.

..Petitioner in both
petitions

Vs

PERS Enterprises Private Limited,
No.3, Veeraswamy Street,
West Mambalam,
Chennai -600 033.

..Respondent in both
petitions

PRAYER IN CMP No. 32053 of 2025- This Civil Miscellaneous Petition is filed under Order XIV Rule 8 of O.S. Rules read with Section 151 of C.P.C., 1908, to permit the Petitioner/ Respondent to withdraw the sum of Rs.25,00,000/- (Rupees Twenty Five Lakhs Only) with accrued interest,



deposited to the credit of C.S.No.128 of 2021 on the file of this Court and a sum of Rs.60,00,000/- (Rupees Sixty Lakhs only) with accrued interest which has been deposited to the credit of C.M.P.Nos.8810 and 8816 of 2024 in O.S.A. (CAD).Nos.39 and 40 of 2024 on the file of this Court.

PRAYER in CMP No. 32057 of 2025 - This Civil Miscellaneous Petition is filed under Order XIV Rule 8 of O.S. Rules read with Section 151 of C.P.C., 1908, to permit the Petitioner/Respondent to withdraw the sum of Rs.25,00,000/- (Rupees Twenty Five Lakhs Only) with accrued interest, deposited to the credit of C.S.No.128 of 2021 on the file of this Court and a sum of Rs.60,00,000/- (Rupees Sixty Lakhs only) with accrued interest which has been deposited to the credit of C.M.P.Nos.8810 and 8816 of 2024 in O.S.A. (CAD).Nos.39 and 40 of 2024 on the file of this Court.

(In both petitions)

For Petitioner: Mr. C.Suraj

For Respondent: Mr.Vijayan Subramanian

COMMON ORDER

(Order of the Court was made by C.V.Karthikeyan J.)

These two applications have been filed in two Original Side Applications viz., O.S.A.(CAD).Nos.39 & 40 of 2024, seeking permission to withdraw a sum of Rs.25,00,000/- together with accrued interest which had been deposited to the credit of C.S.No.128 of 2021 of this Court and further sum of Rs.60,00,000/- together with accrued interest which had been deposited consequent to



directions in C.M.P. Nos.8810 and 8816 of 2024 in O.S.A (CAD).Nos.39 and 40 of 2024.

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2.In the affidavit filed in support of the petitions, it had been contended that by a common judgment and decree dated 24.10.2024, O.S.A.Nos.39, 40 and 54 of 2024 were disposed by dismissing O.S.A.(CAD).Nos.39 and 40 of 2024 and allowing O.S.A. (CAD).No.54 of 2024. It had been stated during the pendency of the O.S.As and during the pendency of the civil suit, directions were made to deposit the aforementioned summons. Having the benefit of positive order in O.S.A.(CAD).No.54 of 2024, the petitioner herein now seeks permission to withdraw the said amount.

3.We have sought clarification from the respondent whether they have filed any further appeal before the Hon'ble Supreme Court of India. Today, an oral representation is made by the learned counsel that no such appeal has been filed before the Hon'ble Supreme Court of India. The learned counsel appearing for the petitioner also affirm that no notice has been received. In view of that particular fact, since the common judgment had attained finality, it is only appropriate that the amounts deposited are permitted to be withdrawn and paid out to the petitioner herein.



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AND

K.KUMARESH BABU J.

GSA

4.A direction is issued to the Registry to withdraw the Fixed Deposits consequent to the directions issued and amounts may be paid together with accrued interest to the petitioner herein on proper acknowledgement. With the above observation, both the Civil Miscellaneous Petitions stand allowed.

(C.V.K.,J.) (K.B.,J.)

03-02-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

GSA

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