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C.R.P.(NPD)No.2427 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.07.2026

CORAM

THE HON'BLE MR. JUSTICE N.SATHISH KUMAR

C.R.P.(NPD)No.2427 of 2025

and

C.M.P.No.13943 of 2025

1.Abarna
2.R.Birundha
3.R.Indhu
4.Karthi

.. Petitioners

Vs.

M.Manikandan (died)

1.M.Tara

.. Respondent

This civil revision petition is preferred under Article 227 of the Constitution of India seeking to set aside the order made in I.A.No.1 of 2025 in O.S.No.67 of 2013 on the file of the Principal Sub Court at Dharmapuri dated 05.04.2025 by allowing the said I.A.No.1 of 2025 and thus render justice.

For Petitioners : Mr.A.Durai Eswar

For Respondent : Mr.P.M.Jayachandran

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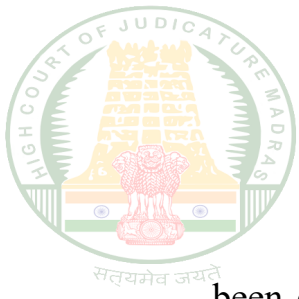
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ORDER

This civil revision petition has been filed challenging the dismissal of the interlocutory application filed by the defendants seeking condonation of 1854 days delay in preferring a petition to set aside the exparte decree.

2. When the matter came up for hearing on 30.07.2025, both sides have submitted that the dispute will be settled between the parties and requested to refer the matter for mediation. Therefore, the matter has been referred for mediation and both parties were directed to appear before the mediation centre attached to this court. Accordingly, both parties have appeared for mediation before the Tamil Nadu Mediation and Conciliation Centre. The matter has been settled in the mediation and the mediation report dated 25.02.2026 has been filed.

3. Today, when the matter was taken up, both the learned counsel appearing for the parties have submitted that the matter has been settled in the mediation and both the parties have arrived at an amicable settlement between them. The settlement/joint compromise memo has



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been executed by the parties and the terms of the settlement have been reduced into writing and both the learned counsel sought to dispose of the above civil revision petition in terms of the settlement/joint compromise memo.

4.The settlement/joint compromise memo dated 25.02.2026 reads as follows:

SETTLEMENT / JOINT COMPROMISE MEMO

Whereas the Hon'ble High Court, Madras referred the above matter for mediation to probe for settlement as such the parties herein appeared before the Mediator appointed by the Mediation Centre, High Court, Madras wherein after several deliberations the parties have voluntarily and out of their own free will, agreed to settle their dispute amicably and intended to reduce the terms of settlement into writing as follows:-

1)That the petitioners herein have agreed to pay a sum of Rs.9,00,000/- (Rupees Nine Lakhs only) to the respondent towards the decree dated 06.11.2019 made in O.S.No.67 of 2013 on the file of the Principal Sub-ordinate Judge, Dharmapuri and that the respondent herein agreed to receive the same towards full and final settlement.

2)That the petitioners have deposited a sum of Rs.5,00,000/- (Rupees five lakhs only) to the suit account in I.A.No.02 of 2025 in I.A.No.01/2025 in O.S.No.67 of 2013 pending on the file of the Principal Subordinate Judge at Dharmapuri as per the



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conditional order of the Hon'ble, High court, Madras dated 23.06.2025 in CMP.No.13943/2025 in the above CRP No.2427/2025.

3)That the said sum of Rs.5,00,000/- (Rupees five lakhs only) shall be adjusted against the sum of Rs.9,00,000/- (Rupees nine lakhs only) and the petitioners herein paid the balance sum of Rs.4,00,000/- (Rupees Four lakhs only) to the respondent herein by way of transfer of funds through electronic mode to the Respondent's Savings Account Bearing. No.078501000027850, IOB, Dharmapuri Branch (IFSC: IOBA0000785) today (25.02.2026) from the savings bank account of the 3rd petitioner namely R.Indhu Bearing Savings Account Mno.50100416956392, HDFC, Ponnagar Trichy Branch (IFSC: HDFC0009148) and that the respondent acknowledges the receipt of the aforesaid sum of Rs.4,00,000/- from the petitioners in the manner aforesaid in full quit of all her claims made in the decree dated 06.11.2019 in O.S.No.67 of 2013 on the file of the Principal Sub-ordinate Judge, Dharmapuri and the petitioners herein have no objection to withdraw the aforesaid sum of Rs.5,00,000/- (Rupees five Lakhs only) along with interest if any by the respondent.

4)That the respondent (Decree Holder) herein undertakes and agrees to file a Memo to record the full satisfaction of the aforesaid decree in REP No.24 of 2021 in O.S.No.67 of 2013 now pending on the file of the II Addl. Sub-ordinate Judge at Trichy filed by the Respondent/Decree holder against the Petitioners/Judgment Debtors immediately on withdrawing the



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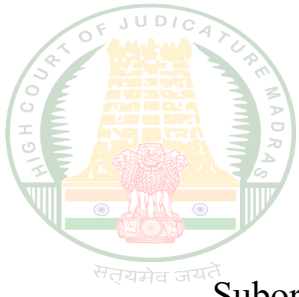
sum of Rs.5,00,000/- (Rupees Five lakhs only) deposited by the petitioners in the suit account without fail and further agrees and assures that the respondent (decree holder) will not lay any further claim or initiate any further proceedings against the petitioners in future.

5)That both the parties hereby agree and assure that they have no further or other claims or demands against each other and to give quietus to the dispute and will abide by the terms of this settlement/compromise in its strict sense.

6)That in view of the settlement reached between the parties, they agreed to file this settlement/joint compromise memo, before the Hon'ble High Court, Madras in the above CRP, praying to record the same.

It is therefore humbly prayed that this Hon'ble Court may be pleased to record the above Settlement agreement / Joint compromise memo in the above CRP No.2427 of 2025 and pass such further or other orders as this Hon'ble Court may deem fit and proper in the interest of justice.'

5.In view of the submissions made by both the learned counsel and in view of the settlement arrived at between the parties, the above settlement/joint compromise memo is recorded and the same shall form part of the record. The decree holder / respondent herein is entitled to withdraw the sum of Rs.5,00,000/- deposited on the file of the Principal



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Subordinate Court, Dharmapuri in I.A.No.02 of 2025 in I.A.No.01 of 2025 in O.S.No.67 of 2013 as per the terms of the joint compromise memo. The execution petition shall be closed as the matter has been settled between the parties. This civil revision petition is disposed of in terms of the above joint compromise memo. No costs. Consequently, connected miscellaneous petition is closed.

02.07.2026

Index : Yes/No

Neutral citation : Yes/No

Speaking order / Non speaking order

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To

1.The Principal Sub Court,
Dharmapuri.

2.The II Additional Subordinate Court,
Trichy.



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N.SATHISH KUMAR, J.

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