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A.S.No.675 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :17.07.2026

CORAM

THE HONOURABLE MR . JUSTICE N.SATHISH KUMAR

AND

THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

**A.S.No.675 of 2017**

**&**

**C.M.P.No.21240 of 2017**

1.Duraivel

2. Raghuraman

... Appellants

Versus

1. M.Geethanjali

2. M.Indumathi

Rosi Bai (Died)

3. Nalini

4. The Sub-Registrar

Walaja

Vellore District

... Respondents

Appeal Suit filed under Section 96 read with Order XLI Rule 1 of CPC against the judgment and decree dated 19.08.2017 on the file of Court of II Additional District and Session Judge, Vellore @ Ranipet, Vellore District.

For Appellant

: Ms.Sri Ranjini  
for Mr.T.P.Prabakaran

For Respondent

: Mr.V.Manoharan for R1



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Mr.M.Hemanth Kumar  
Government counsel for R4

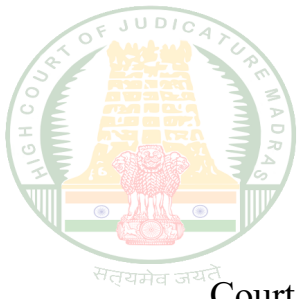
R2 and R3- No Appearance

### **JUDGMENT**

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

When the appeal was listed on 24.06.2026, 1st and 2nd appellants/1st and 2nd defendants have filed separate Affidavit of Undertakings dated 24.06.2026 agreeing to pay a sum of Rs.25 lakhs to the first respondent/plaintiff and releasing their right in respect of Item No.17 of the suit schedule property in Door No.7/1, T.T.S No.1438, Soornachetty Street, Walajapet admeasuring 7766 sq.ft and residential house therein in favour of the first respondent. The affidavits are taken on record,

2. Again when the matter was posted on 30.06.2026, the first respondent stated before this Court that she needs some more amount to be deposited and some jewels also to be given to her for her security. Therefore, the said Affidavit of undertakings were not given effect to and the matter was directed to be posted today under the same caption "For Reporting Settlement".



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3. Today, the second appellant/second defendant is present before this

Court. The learned counsel for the appellants submitted that first appellant/first defendant is admitted in the hospital and hence, he could not appear before this Court today.

4. On enquiry, the second appellant/ second defendant stated that he is ready to pay a sum of Rs.40,00,000/- within a period of six months by way of a Demand Draft drawn in favour of first respondent / plaintiff. He would also submit that he will not claim any right whatsoever in the house bearing Door No.7/1, T.T.S No.1438, Soornachetty Street, Walajapet admeasuring 7766 sq.ft, situated in Item No.17 of the suit schedule property, which is presently in occupation of the first respondent / Plaintiff.

5. The first respondent / plaintiff is also present in Court and has agreed to receive a sum of Rs.40,00,000/- [Rupees Forty Lakhs only] and take Item No.17 of the suit schedule property as her absolute property. The second appellant has also made an endorsement to the above effect in the case file, which has been endorsed by the learned counsel for appellants and learned counsel for first respondent.

6. In view of the fact that respondents 2 and 3 remained *ex parte*, the settlement arrived at between the parties is binding on the appellants and



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first respondent alone.

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In view of the settlement arrived at between the parties, this appeal stands disposed of in terms of Affidavit of Undertakings of the appellants dated 24.06.2026. The Affidavit of Undertakings shall form part of the decree. It is made clear that if the amount is not paid as stated before this Court by the appellants, the judgment and decree of the trial Court shall stand revived. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

[N.S.K.,J.] [M.J.R.,J.]

17.07.2026

Index: Yes/No

Neutral Citation: Yes/No

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To

1. The II Additional District and Session Judge  
Vellore @ Ranipet, Vellore District
2. The Section Officer  
VR Section  
Madras High Court



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AND

M.JOTHIRAMAN, J.,

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