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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-01-2026

CORAM

THE HONOURABLE DR.JUSTICE R.N.MANJULA

A No. 6091 of 2025
in C.S.No.610 of 2013

1. S. Arumugam
S/o.Late M.P.Subramania Mudaliar,
Both are residing at No.202 Paper Mills
Road, Perambur, Chennai 600 011.

2. S.Dhakshinamoorthy
S/o.Late M.P.Subramania Mudaliar.

Applicant(s)

Vs

1. MRS. C.CHANMUNDEESWARI
(Deceased) 1.S.Rathinammal
W/o.Late S.Shanmugam

2.S.Kumaravelu
S/o.Late S.Shanmugam

3.S.Saravanakumar
S/o.Late S.Shanmugam, Respondents 1
to 3 are residing at No.29,
Lakshmiamman Koil Street, Perambur,
Chennai 600 011.

4.S.Dhanalakshmi
D/o.Late S.Chandrasekaran, No.202,
Paper Mills Road, Perambur, Chennai
600 011.

5.C.Sivasubramaniam
S/o.Late S.Chandrasekaran, No.202,
Paper Mills Road, Perambur, Chennai
600 011.

6.C.Balasubramaniam

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S/o.Late S.Chandrasekaran

7.S.Vedachalam
S/o.G.Shanmugam

8.S.Geethypriyan
S/o.G.Shanmugam

9.Minor S.Nava Vignesh
S/o.C.Sivasubramaniam, Rep.by his
father and natural guardian
C.Sivasubramaniam

10.Minor S.Narayanamoorthi
S/o.C.Sivasubramaniam, Rep.by his
father and natural guardian
C.Sivasubramaniam

11.Minor B.Sakthivel
S/o.C.Sivasubramaniam, Rep.by his
father and natural guardian
C.Sivasubramaniam

12.Minor Thirumoorthy
S/o.C.Sivasubramaniam, Rep.by his
father and natural guardian
C.Sivasubramaniam

13.S.N.Thiyagarajan
S/o.Nataraja Boopathy

14.T.Manivannan
S/o.N.Thiyagarajan

15.T.Ravindran
S/o.S.N.Thiyagarajan

16.T.Rajkumar
S/o.S.N.Thiyagarajan, Respondents 13
to 16 are residing at No.25, Second
Lane, Madhavaram High Road,
Perambur, Chennai 600 011.

Respondent(s)

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PRAYER: Application is filed to permit the applicants to purchase the 1/4th share in the item 1 of the suit property from the plaintiffs 1 to 3 respondents herein at Rs.51,35,000/-.

For Applicant(s): M/S.M. Ganesan

For Respondent: Mr.K.V.Babu
for R1 to R3

Mr.C.Shankar
for R14 to R16

ORDER

This application has been filed by the applicants / defendants 5 and 6 seeking permission of the Court to purchase 1/4th share in Item – I of the suit property from the plaintiffs / respondents 1 to 3, for a sum of Rs.51,35,000/-.

2. So far as Item I of the suit schedule property is concerned, the parties have arrived at a compromise and one of the terms of the compromise is to allow the defendants 5 and 6 to purchase 1/4th share of the plaintiffs in Item – I of the suit property for a sum of Rs.51,35,000/-. The respondents / plaintiffs have agreed to release their share in Item – I of the suit property by receiving the above consideration of Rs.51,35,000/-.

3. The learned counsel for the respondents 1 to 3 / plaintiffs submitted that he has got no objection to allow this application by granting permission to the applicants to purchase 1/4th share of the respondents 1 to 3 / plaintiff's in

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Item – I of the suit schedule property.

4. The defendants 13 to 16 who have already been set *ex parte* have filed an application set aside the *ex parte* order. However, being the subsequent purchaser they cannot have any objection to the compromise entered into between the sharers in respect of Item – I of the suit property. It is submitted that the consideration agreed at Rs.51,35,000/- for the above transaction as per the terms of compromise has already been paid by these applicants and it has been received by the respondents 1 to 3 / plaintiffs. Hence, I feel this application can be allowed by recording the undertaking given by the respondents 1 to 3 / plaintiffs to execute the release deed in favour of the applicants / defendants 5 and 6 in respect of their 1/4th share in Item – I of the suit schedule property.

5. In view of the above observations, this application is allowed. The respondents 1 to 3 / plaintiffs are directed to execute the release deed in favour of the applicants / defendants 5 and 6 as agreed above, within a period of two weeks.

23-01-2026

Index:Yes/No
Speaking/Non-speaking order
Internet:Yes
Neutral Citation:Yes/No
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R.N.MANJULA J.

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