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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 13.08.2018

CORAM :

THE HONOURABLE MR. JUSTICE M.S.RAMESH

CRP.(NPD).Nos.751 & 752 of 2015

1.M/s.Top in Town Dry Cleaners
rep. by its Partners.

2.D.Jayaraman

3.C.V.Jayapalan

4.C.V.Sivasubramanian

5.C.V.Manigandan

6.P.S.Sankaranarayanan

7.D.Premkumar

8.D.Dilip Kumar

9.D.Kishore Kumar

..Petitioners/Respondents
in both petitioners

V.

1.M.Rajagopal Iyer (deceased)

2.R.Srinivasan

3.R.Ragunathan

4.R.Bhaskaran

5.R.Sankaran

6.R.Vasantha

7.R.Uma

8.R.Rama

9.R.Rajeswari

10.R.Radha

(R2 to R10 impleaded as LRS as per order
dated 22/03/2006 in MP.NO.505/2006).. Respondents/Petitioners
in both petitioners



COMMON PRAYER : Civil Revision Petitions are filed under Section 25 of Tamil Nadu Buildings Lease & Rent Control Act against the decree and judgments in RCA.Nos.409 & 435 of 2006 dated 09.10.2014 on the file of the learned VIII Small Causes Court/Appellate Authority, Chennai, as modified the judgment and decree dated 07.02.2006 made in RCOP.No.629 of 2005 on the file of the learned XI Small Causes Court/Rent Controller, Chennai.

For Petitioners : Mr.M.Sriram
in both CRPs.

For Respondent : Mr.P.K.Sivasubramaniam
Nos.2, 6, 8 & 10

For Respondent : No Appearance
Nos.3 to 5, 7, 9

C O M M O N O R D E R

When the matter came up for hearing today, it is represented by both the learned counsels appearing for the parties that the dispute among the parties have been amicably settled and they had also filed a memo to that effect. Memorandum of compromise entered into between the parties dated 31.03.2018 reads as follows:

Between

M/s.Top-in-Town Dry Cleaners,

Carrying on business at No.345, Arcot Road,
Kodambakkam, Chennai-600 024, hereinafter called
the party of the First Part/Tenant

1.M/s.Top in Town Dry Cleaners
Chennai Partners.

2.D.Jayaram (Aadhar Card No.)
No.119, Purasaivakkam High Road,
Chennai-600 010.

3.C.V.Jayabalan (Aadhar Card No.)
Plot No:16, Old No.20A, Kellys Road,
Chennai-600 010.

4.C.V.Sivasubramaniyan (Aadhar Card No.)
No.7, New No.16, Abirami Street,
Purasaivakkam,
Chennai-600 084.

5.C.V.Manikandan (Aadhar Card No.)

6.D.Prem Kumar (Aadhar Card No.)

7.D.Dhilip Kumar (Aadhar Card No.)



8.D.Kishore Kumar (Aadhar Card No.)
(6,7,8) persons living together in
No.119, Purasaivakkam High Road,
Chennai-600 010.

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And

Mr.R.Srinivasan

Hereinafter called the party of the second
part/transferee

Whereas the party of the first parties the
statutory tenant of a front side ground floor shop
in premises no:345, Arcot Road, Kodambakkam,
Chennai-600 024 on a monthly rent of a Rs.6565/-
belonging to R.Srinivasan and this brothers and
sister of R.Srinivasan being the legal heirs of
late M.Rajagopal Iyer and whereas the party of the
first part has negotiated to surrender the lease
of the schedule mentioned property to the party of
the second part on payment of the sum of
Rs.1,00,000/- as parting compensation to vacate
and R.Srinivasan deliver vacant possession of the
schedule mentioned property to the party of the
second part as such transferee and agrees to
surrender the tenancy to the party of the second
part in the following terms:

Now this Memorandum Witness that in
consideration of the sum of Rs.1,00,000/- paid by
cash by the party of the second part as parting
compensation to the party of the part the receipt
of which sum of the party of the first part/tenant
hereby admit and acknowledge and in consideration
of the said payment, the party of the first part
hereby surrender the lease of schedule mentioned
property and hereby handover vacant possession of
the schedule mentioned to the property of the
second part to obtain the surrender of tenancy in
his favour and the party of the first part hereby
declare that they have delivered vacant possession
to the party of the second part and hereby declare
that they have right to claim any right whatsoever
the schedule mentioned property and hereby agree
for the transfer of tenancy by owner of the
property in favour of the party of the second
part.

Schedule of Property

Front side ground floor shop in premises no.345,
Arcot Road, Kodambakkam, Chennai-600 024.



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IN WITNESS WHEREOF THE PARTIES HERETO HAVE SET
AND SUBSCRIBED THEIR HANDS AND SIGNATURE ON THE
DAY MONTH AND YEAR FIRST ABOVE WRITTEN.

Witness

Party of the First Part
for Top in Town Dry Cleaners

signed
Party of the Second Part
signed

From

R.Srinivasan
Son of M.Rajagopal Iyer,
Residing at No.13, Big Bazaar Street,
Koothanallur-614 101.

To
M/s.Top-in-Town Dry Cleaners,
Rep. by this partners.
Sir,

I view of settlement arrived between us, I
hereby waive the difference in fair rent and
agreed rent. I have no claim against you.

Yours faithfully,

signed.

2.Recording the memo of compromise dated 31.03.2018, the
Civil Revision Petitions stand closed. No costs.

Sd/-
Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

DP
To

1.The VIII Judge, Small Causes Court/
Appellate Authority, Chennai.

2.The XI Judge, Small Causes Court/
Rent Controller, Chennai.



3. The Section Officer,
VR Section, High Court, Madras.

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+ 2 ccs to Mr. Sriram, Advocate Sr.56350
+ 1 cc to Mr.P.K. Sivasubramaniam, Advocate SR.56300

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KK (CO)
EU (14/09/2018)