



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.08.2016

CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

Crl.O.P.(MD) No.13674 of 2016

M.Vijaya

... Petitioner

-Vs-

1. The Commissioner of Police,
Madurai.

2. The Inspector of Police,
Sellur Police Station,
Sellur, Madurai.

3. Soundrapandi

4. Thangapandi

5. Madhavan

... Respondents

Prayer: Petition filed under Section 482 of the Code of Criminal Procedure to direct the 2nd respondent to provide police protection from respondents 3 to 5 and their men.

For Petitioner : Mr.S.Sankar

For R1 & R2 : Mr.A.P.Balasubramani
Govt. Advocate (Crl.Side)

For R5 : Mr.S.Chellapandian
For Mr.T.Palanisamy

O R D E R

This petition has been filed, seeking to direct the 2nd respondent to provide police protection as against respondents 3 to 5 and their men.

2. When the matter is taken up for hearing, learned counsel appearing for the parties filed two joint compromise memos, i.e., one in English dated 24.08.2016 and another in Tamil, in which the parties have stated that they have mutually agreed to settle the issue with the following terms and conditions (extract from the English version of the compromise memo dated 24.08.2016 for

<https://hcservices.in/hcservices/>

"(a) The house property situated in door no.30, Ahimsapuram Extension 3rd street, Sellur, Madurai (Herein



after called as House property) which stands in the name of the 1st petitioner has 3 floors namely ground floor, 1st floor and 2nd floor. Ground floor was divided into 2 portions and let out for rental, 1st floor was occupied by the petitioner as her residence, Finally petitioner let out 2nd floor for rent. Now 1st petitioner agreed to handover the possession of the one portion of the house property to his son (5th respondent) with the conditions that he should not encumber the same by lease or mortgage and further she agreed to have life estate over the House property, after her demise the said property has to be equally shared between her 2 sons and 1 daughter.

(b) The 5th respondent agreed to withdraw the partition suit filed in O.S.No.101/2014 before the Hon'ble court of district Judge, at Madurai, Madurai.

(c) Since the petitioner is an age old woman who could not earn for livelihood, she can rent out remaining 2 portion of the above said house property namely 2nd floor and other portion of the ground floor by which she can fulfill her medicinal, food and other expenses.

(d) Petitioner is also undertaken that she would not encumber the House property by any means at any circumstances without consent of the 5th respondent. Further she also agreed not to mortgage, lien or pledge the house property at his life time."

3. In view of the above settlement arrived at between the parties, this Criminal Original Petition is disposed of. The Compromise Memos (both English and Tamil) shall form part of this order.

Sd/

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar.

To:

1. The Commissioner of Police, Madurai.
2. The Inspector of Police, Sellur Police Station, Sellur, Madurai.
3. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

+1CC to M/S.S.Chella Pandian, Advocate, SR.No. 47014

+1CC to M/S.S.Sankar, Advocate, SR.No. 47304

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24.08.2016