

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.03.2017

CORAM:

THE HONOURABLE MR.JUSTICE M. DURAISWAMY

C.R.P.(PD).Nos.1026 to 1028 of 2017
and C.M.P.Nos.4964 to 4966 of 2017

A. Sethu ... Petitioner in all C.R.Ps

Vs

S.Murugan ... Respondent in C.R.P.No.1026/2017

1.S.Sahadeven

2.S.Murugan ... Respondents in C.R.P.Nos.1027 & 1028/2017

Civil Revision Petitions filed under Article 227 of Constitution of India against the Petition and Order dated 10.01.2017 rejecting the Compromise Memo filed in O.S.Nos.829, 843 of 2007 and 21 of 2008 on the file of the Principal District Munsif Court at Alandur.

For petitioner in all C.R.Ps : Mr.K. Seetha Ram

COMMON ORDER

The plaintiff in the suits in O.S.Nos.829 of 2007, 843 of 2007 & 21 of 2008 on the file of the Principal District Munsif Court, Alandur, has filed the above Civil Revision Petitions challenging the joint compromise memo filed

by the parties in the respective suits.

2.The plaintiff filed all the three suits for declaration and injunction.

3.The defendants filed their written statement and are contesting the suit. Subsequently, a Joint Memorandum of compromise dated 23.11.2016 was filed by both the parties stating the terms of compromise. However, the defendants filed the objections stating that they are not agreeable for settlement and that the compromise memo may be rejected. The Trial Court, by order dated 10.01.2017, taking into consideration, the objections filed by the defendants, rejected the memorandum of compromise dated 23.11.2016. Since the defendants filed their objections and also appeared before the Trial Court and submitted that they are not agreeable for the compromise, the Trial Court has rightly rejected the memorandum of compromise and posted the matter for cross-examination.

4.The defendants cannot be compelled to settle the matter with the plaintiff. Therefore, the Trial Court has rightly rejected the compromise memo. I do not find any error or irregularity in the orders passed by the Trial Court.

5.Since the suit is pending for more than eight years, I direct the

Principal District Munsif, Alandur, to dispose the suits in O.S.No.829 of 2007, 843 of 2007 and 21 of 2008, on merits and in accordance with law, within four months from the date of receipt of copy of this order.

6.With these observations, the Civil Revision Petitions are dismissed.
No costs. Consequently, the connected miscellaneous petitions are closed.

Index : No
Internet :Yes
va/rsi

20.03.2017

To

The Principal District Munsif Court
Alandur.

M. DURAISWAMY, J.
va/rsi

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