

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.11.2017

CORAM

THE HONOURABLE MR.JUSTICE **R.SUBRAMANIAN**

C.S.No.825 of 1996

- 1.P.Srinivasan (deceased)
- 2.Vasanthi Krishnaswamy (deceased)
- 3.Mrs.Sudha Srinivasan
- 4.Mr.S.Haricharan ... Plaintiffs

(3 and 4 are residing at
"Lavanya", Sriniketan,
Ground Floor, E-1, No.72, Luz Church Road,
Mylapore-600 004.

(Plaintiffs 3 & 4 impleaded as LR's of deceased
1st plaintiff, as per order dated 28.06.2015 in
A.Nos.7823 & 7824 of 2015).

.Vs.

- 1.Mrs.Jayalakshmi (deceased)
- 2.Mr.S.Srivatsan
- 3.Mrs.C.Sukanya
- 4.Mr.J.Vaidhyanathan ... Defendants

(Defendants 2 to 4 are brought on record as
LR's of the deceased sole defendant, as per order
dated 20.09.2016 in A.No.2920/2016.

Plaint filed under Order IV Rule 1 of O.S. Rules read with Order VII Rule 1 of C.P.C praying to pass a judgment and decree:-

a) declaring that the plaintiffs are the sole and absolute owners of the plaint schedule mentioned immovable property;

b) directing the defendant to deliver vacant possession of the plaint schedule mentioned property to the plaintiffs;

c) directing the defendant to pay to the plaintiffs Rs.3,52,700/- towards past mesne profits from 27.12.1993 till date permit with interest thereon at 24% per annum from date of plaint;

d) directing the defendant to pay to the plaintiffs future mesne profits with interest from the date of plaint till date of delivery of vacant possession of the suit property to the plaintiffs at the rate that may be fixed by this Hon'ble Court.

e) appointing a Receiver for the suit property;

f) directing the defendant to pay to the plaintiffs the costs of the suit; and

g) for the grant to them such further or other relief or reliefs as this Hon'ble Court may seem fit and proper in the circumstances of the case.

For Plaintiffs : Mr.C.Umashankar

For Defendants : Mr.C.Ramesh

J U D G M E N T

The plaintiffs have filed a memo dated 13.11.2017 stating that they have received a sum of Rs.38,00,000/- (Rupees Thirty Eight Lakhs only) from the defendants in full and final settlement of the claims and they have no right, title and interest over the suit property.

2.Recording the same, the suit is dismissed as settled out of Court.

16.11.2017

KP

Index : Yes/ No

Internet : Yes/ No

Speaking Order/ Non-speaking Order

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R.SUBRAMANIAN, J.

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