

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.04.2017

CORAM

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

C.S.No.281 of 2017

and

O.A.No.375 of 2017

1. K. Ranjini
2. K. Sudha
3. K. Lakshmi
4. K. Deepa

.. Plaintiffs

Vs.

- 1.K. Radhika
- 2.K. Sivakumar
- 3.K. Sasikumar

.. Defendants

Plaint filed under Order IV Rule 1 of the Original Side Rules r/w Order VII Rule 1 CPC. praying to pass an order (a) allotting 1/5th share each to the plaintiff's and the first defendant herein in the suit properties which are morefully described in the schedule I to XIII hereunder; (b) appointing an advocate commissioner to divide the suit properties by metes and bounds which are morefully described n the schedule I to XIII hereunder among the Plaintiff's and the first defendant herein by allotting 1/5th share each; (c) restraining the defendants 2 and 3, their men, agents, servants, subordinates or persons claiming through them from in any way alienating, encumbering or dealing with the suit properties which are morefully described in the Schedule I to XIII and for costs of the suit.

For Plaintiffs : Mr.V.B. Thirupathi Kumar
For D1 : Ms.Vasavi Sridevi
For D2 and D3 : Ms.A.Sumathy

JUDGMENT

When the matter is taken up for hearing, both the plaintiffs and first defendant are present before this Court and placing reliance upon the memorandum of compromise dated 24.04.2017, filed duly signed by the parties and attested by their counsel, it is submitted by the learned counsel for both sides that the suit may be decreed in terms of the said memorandum of compromise.

2. The joint memo of compromise filed by the plaintiffs and defendants reads as follows:

The plaintiff's have filed the above suit for partition of the suit schedule mentioned properties into five equal shares and to allot 1/5th share each to the plaintiff's and to the first defendant herein. The first plaintiff is the second wife of the deceased G. Kirubakaran and the plaintiff's 2 to 4 and the first

defendant are the daughters of the deceased G. Kirubakaran born through the first plaintiff herein. The defendants 2 and 3 are none other than the sons of the deceased G. Kirubakaran born through his first wife namely Mrs. Varalakshmi. Now taking into consideration of the legal aspects both the parties have mutually agreed to settle the disputes amicably and also for partition of the suit properties into 7 shares equally and to allot 1/7th share each to the plaintiff's as well as the defendants. Accordingly, both the plaintiff's and the defendants have entered into this Memo of Compromise and also agreed to pass a final decree in terms of the memo of compromise entered into between the plaintiff's and the defendants in respect of the suit schedule mentioned properties in and accordance with the details of the properties allotted to the plaintiff's and the defendants as mentioned in the memo of compromise dated 24.04.2017.

3. Accordingly, the suit stands decreed in terms of the memorandum of compromise dated 24.04.2017 and the memorandum of compromise shall form part of the decree. No costs. Consequently, connected application is closed.

24.04.2017

klt/kkd

K.KALYANASUNDARAM,J

klt/kkd

To

The Sub Assistant Registrar,
Original Side,High Court,
Madras.

C.S.No.281 of 2017
and
O.A.No.375 of 2017

24.04.2017

<http://www.judis.nic.in>