

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.04.2017

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

C.S.No.775 of 2014
& Appl.No.3932 of 2016

V.Sekar

... Plaintiff

Vs

1.Rama Padmanabhan
2.P.Krishnamurthy
3 Manasa Balaji
4.Vidya Srikanth
5.M.K.Raja Rao
6.Sridhar
7.Vasanthi Narayanan
8.Sandhya Venugopal
9.R.Gridhar
10.Prema Rao
11.Hema
12.Guru Prasad
13.R.S.Ravi
14.V.Tinku
15.V.Murali
16.T.K.Gopinath
17.G.Arjun
18.G.Vidya
19.Lakshmi

... Defendants

Plaint filed under Order IV Rule 1 of the OS Rules r/w Order VII Rule
1 of the Code of Civil Procedure, praying for judgment and decree as follows:

- i) directing partition of the property described in the schedule hereunder by metes and bounds and allot 1/20th share thereon to the plaintiff in the suit schedule property;
- ii) directing the defendants to pay the plaintiff's cost of this suit;

For Plaintiff	:	Mr.T.S.Baskaran
For Defendants 9 to 13	:	Mr.V.Anilkumar
For Defendants 16 to 18	:	Mr.N.Anand Venkatesh

JUDGMENT

The learned counsel for the plaintiff as well as the learned counsel for the defendants, have submitted that the dispute has been amicably settled between the parties in the Tamil Nadu Mediation and Conciliation Centre. The Mediation Centre has filed report dated 19.04.2017, enclosing the joint memo of compromise between the parties. The plaintiff and defendants are present and they submit that the matter is settled. A joint compromise memo dated 19.04.2017 signed by the parties as well as the counsel, is filed to that effect, which reads as follows:

- a) The plaintiff and Defendants No.9 to 13 respectfully state that the above suit in C.S.No.775 of 2014 is filed by the plaintiff against the

Defendants for the partition of 1/20th share in the plaint schedule property morefully described in the schedule hereunder.

- b) The Dispute between Defendant No.1 to Defendant No.8 and defendant No.9 to Defendant No.13 revolving around the suit schedule property was settled amicably pursuant to a Memorandum of Compromise entered between the parties in O.S.A.No.260 & 261 of 2011 and Order dated 02.12.2011 passed by the Division Bench of this Hon'ble Court.
- c) Subsequently Defendants No.14 and 15 filed a suit in C.S.No.181 of 2014 which was also amicably settled between Defendants No.14 & 15 and Defendants No.9 to 13 in Lok Adalat vide consent Decree dated 16.04.2014.
- d) The defendants No.9 to 13 state that at intervention of Conciliators have settled the issue with Defendants No.16 to 18 & 19 on 06.01.2017 & 21.12.2016 respectively and separate Joint Memorandum of Compromises were recorded between them and filed into this Hon'ble Court.
- e) The plaintiff and Defendants No.9 to 13 state that at intervention of Conciliators they have now decided to settle the issue amongst themselves and accordingly have entered into this compromise on the following terms. The plaintiff and Defendants No.9 to 13 respectfully

pray that this Hon'ble Court may be pleased to pass a decree and judgment in terms of following compromise Memo.

TERMS OF COMPROMISE

1. The plaintiff and Defendants No.9 to 13 herein hereby agree, confirm and declare that the dispute in the above suit C.S.No.775 of 2014 has been amicably resolved between the parties voluntarily.
2. The Defendants 9 to 13 hereby agreed to pay a sum of Rs.14,00,000/- (Rupees Fourteen Lakhs Only) to the plaintiff in full quit of the plaintiff's claim and the plaintiff expressly gives up his 1/20th undivided share, right, title and interest over the plaint schedule mentioned property on the receipt of the above sum.
3. The plaintiff hereby acknowledges receipt of a sum of Rs.14,00,000/- from the Defendants No.9 to 13 by Demand Drafts bearing Nos.994294 & 994295 both dated 07.04.2017 for Rs.9,00,000/- (Rupees Nine Lakhs only) and Rs.5,00,000/- (Rupees Five Lakh Only) respectively drawn on Lakshmi Vilas Bank, Mysore Branch, Srinivasa Plaza, First Floor, 33/A, D.Devaraj Urs Road, Mysore - 570001, in all totaling Rs.14,00,000/- (Rupees Fourteen Lakh Only) drawn in the name of the plaintiff.
4. The plaintiff hereby declare and confirm that he has no further claim against the Defendants No 9 to 13 herein and hereby agree that they

shall bear their respective cost in the above suit.

2. In view of the above, the civil suit is decreed in terms of the joint memo of compromise and the joint memo of compromise shall form part of the decree. Registry is directed to refund the court fee to the plaintiffs as per law. No costs. Consequently, the connected applications are closed.

25.04.2017

Index:Yes/No
jv/dna

K.KALYANASUNDARAM, J.,

jv/dna

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

C.S.No.775 of 2014
& Appl.No.3932 of 2016

25.04.2017

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