



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

THURSDAY, THE 28TH DAY OF OCTOBER 2021

THE HON'BLE MR. JUSTICE N.SESHASAYEE

C.S.No.302 of 2012

1. H.Shankar,

2. H.Murugavel @ Mukesh,
Plaintiffs 1 & 2 represented
by their Power Agent A.Harikrishnan,
residing at Old No.19/A, New No.27,
Sowmya Apartments (Ground Floor),
North Mada Perumal Koil Street,
Villivakkam, Chennai-600 049.

... Plaintiffs

-Versus-

1. C.S.Deva Kumar,

2. C.S.Sethu,
1 & 2 are residing at No.21,
5th Street, Red Hills Road,
Villivakkam, Chennai-600 049.

3. K.S.Krishna Kumar (Executor of the Will),
49, Bazaar Street, Villivakkam,
Chennai-600 049.

4. Smt.J.Vatchala (Deceased),(*)
No.691, 28th Street, TNHB,
Korattur, Chennai-600 080.

5. Muthuraj (Catering Services),
No.56, Red Hills Road,
Villivakkam, Chennai-600 049.



6. Mrs.M.Dhanalakshmi, (*)
W/o.Moorthy,
691, 28th Street, TNHB,
Korattur, Chennai-600 080.

... Defendants

(*)6th defendant is brought on
record as LRs of the deceased
4th defendant as per order dated
09.01.2017 in A. Nos.88 to 90 of 2017

C.S.No.302 of 2012

Civil Suit praying that this Hon'ble Court be pleased to pass a decree and judgement:-

(i) for partition and separate possession of Plaintiff's 1/3 share each in the plaint schedule 1 property by metes and bounds and allot the schedule property II to the first plaintiff and schedule III to the second plaintiff in terms of Will dated 22.5.1986 of Smt.Jagadambal Ammal - probated in T.O.S.No.9 of 1991.

(ii) for rendition of accounts by defendant 1 and 2 for the schedule property I as per the judgment O.A.No.593 of 1993 in C.S.No.912 on the file of this Hon'ble Court.

(iii) direct the defendants to pay to each plaintiff, their 1/3rd share towards mense profit estimated to be Rs.4,50,000/-

(iv) for permanent injunction restraining the defendants 1 and 2 from collecting the rent from defendant No.5.

(v) for appointment of Advocate Commissioner to divide the Schedule Property I by metes and bounds amongst Plaintiffs and Defendants 1,2 and 4 and allot the schedule property II to the first plaintiff and schedule III to the second plaintiff in terms of Will dated 22.05.1986 of Smt. Jagadambal Ammal - probated in T.O.S.No.9 of 1991 in terms of said probated Will.



(vi) for costs of suit.

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This Civil Suit coming on this day before this court for hearing, the Court made the following order:

In this case, a compromise decree has been passed and vis-a-vis correcting the name of the defendant, some application has been taken out and that too has been allowed.

2. Essentially, nothing survives for adjudication or consideration of this Court. It appears that the Registry has wrongly posted the matter.

Sd./-NSSJ
28.10.2021

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

From 25th day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.

JJ 10/11/2021