

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.01.2017

CORAM:

THE HON'BLE MR.JUSTICE K.K.SASIDHARAN
AND
THE HON'BLE MR.JUSTICE V.PARTHIBAN

Original Side Appeal No.377 of 2012 and
M.P.No.1 of 2012

Chitra TilakAppellant/Plaintiff

vs.

Sree JathaRespondent/Defendant

Original Side Appeal filed under Order XXXVI Rule 9 of the
Original Side Rules r/w Clause 15 of the Letters Patent,
against the judgment and decree dated 09.07.2012 passed in
T.O.S.No.8 of 2007 on the file of this Court.

For Appellant : Mr.Anil Relwani

For Respondent : Mr.V.Raghavachari

J U D G M E N T
(delivered by K.K. SASIDHARAN, J.)

The appellant has filed this intra court appeal, challenging
the judgment and decree, dated 9 July 2012 in T.O.S.No.8 of 2007.

2. During the currency of the intra court appeal, the
parties have settled the matter and executed a Joint Memorandum
of Compromise, dated 11.01.2017.

3. The respondent agreed to pay a sum of Rs.10,00,000/-
(Rupees Ten lakhs only) to the appellant and another sum of Rs.
25,00,000/- (Rupees Twenty Five lakhs only) to Mrs.N.Lakshmi,
W/o. Late Mr.K.Nithyanandam, who is none other than the brother
of the appellant. The respondent wanted six months' time to pay
the amount as indicated in the Joint Memorandum of Compromise.

4. Mrs.N.Lakshmi, who is present in Court, undertakes to
vacate the plaint schedule property and hand over vacant
possession to the respondent, within three months from the date

of payment of Rs.25,00,000/-. The said undertaking is recorded. The amount of Rs.25,00,000/- shall be paid by the respondent to Mrs.N.Lakshmi, by way of Demand Draft.

5. In view of the settlement, the appellant has withdrawn her challenge to the Will dated 9 April 1999 marked as Ex.P1.

6. The Original Side Appeal is disposed of in terms of the Joint Memorandum of Compromise. The Memorandum of Compromise, dated 11 January 2017 shall form part of the decree. No costs. Consequently, connected miscellaneous petition is closed.

*here enclose xerox copy of
memo of Compromise

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1.The Sub Assitant Registrar
Original Side High Court Madras

+1 cc to M/s.V.Raghavachari Advocate sr 2743

O.S.A.No.377 of 2012

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