

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.04.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAVINDRAN

C.S.No.168 of 2013

1. Mr.Sivasubramaniaraja Shanmugasundaraj
2. Mrs.Sridevi Shanmugasundaraj
3. Mrs.Thangamani Sundaraj
rep. by their Power of Attorney Agent,
Mr.B.Anburaj (duly appointed as the
Agent under power of attorney deed
dated 25.02.2013 executed at San Francisco,
USA vide adjudication reference No.596 of 2013
on the file of SRO, Saidapet. .. Plaintiffs

Vs.

1. Mr.D.Ravirajan
2. C.Amar, Partner,
M/s AV Builders
3. K.Sivasubramanian
4. C.Ezhil Mayilvaganan
5. K.Sivaraj
6. K.Geetha Sivaraj
7. V.Sinthu .. Defendants

Prayer : Civil Suit has been filed under Order IV Rule 1 of O.S.Rules read with Order VII Rule 1 of C.P.C praying for judgment and decree as follows:-

a) To declare that the plaintiffs are the absolute owners of the suit schedule property and directing the defendants to quit and deliver vacant possession of the suit schedule property after demolishing the existing superstructure being constructed thereon.

b) to declare that (a) the sale deed in favour of the fourth defendant executed by the first defendant on 06.07.2011, registered as document No.3701 of 2011 on the file of SRO, Velachery in respect of 693 square feet of undivided share of land out of the suit schedule property; (b) the sale deed in favour of the fifth and sixth defendants executed by the first defendant on 30.03.2012, registered as document No.1805 of 2012 on the file of SRO, Velachery in respect of 693 square feet of undivided share of land out of the suit schedule property; and (c) the sale deed in favour of the seventh defendant executed by the first defendant on 25.05.2012, registered as document No.2637 of 2012 on the file of SRO, Velacherry in respect of 693 square feet of undivided share of land out of the suit schedule property are not valid in law and not binding on the plaintiffs.

c) for a permanent injunction restraining the defendants, their men, agents or servants or any body either claiming under or through them in any way and in any manner from putting up any further construction in the suit schedule property; and

d) for a permanent injunction restraining the defendants, their men, agents or servants or anybody either claiming under or through them in any way and in any manner from alienating or encumbering the suit schedule property;

e) to pay the cost of the suit; and

f) to grant such other relief or reliefs

For the plaintiffs : Mr.K.G.Vasudevan

JUDGMENT

Memo filed by the counsel for the plaintiffs stating that the matter has been settled out of Court. Memo has been taken on record.

2. In the light of the above said memo, the Civil Suit is dismissed as settled out of Court. No costs.

20.04.2017

Speaking order/Non Speaking order

Index : Yes/No

Internet: Yes/No

adl

T.RAVINDRAN, J.

adl

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