

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 12.10.2018

CORAM

THE HONOURABLE MR.JUSTICE P.D.AUDIKESAVALU

C.S. No. 690 of 2018

Vijayalakshmi alias Rambha ...Plaintiff

vs.

1. Srinivas
2. Yeedi Venkateshwara Rao
3. Usha Rani Venkateshwara Rao ...Defendants

Prayer: Petition filed under Order IV Rule 1 of Madras High Court Original Side Rules, 1956, read with Order VII Rule a of Civil Procedure Code, 1908, to pass a judgment and decree against the Defendants:-

- (a) Granting a permanent injunction restraining the Defendants 1 to 3, their agents, subordinates, employees and anyone on their behalf from alienating/dealing with the suit schedule property in any manner including by way of sale, mortgage, lease or any other mode;
- (b) Granting a permanent injunction restraining the Defendants 1 to 3, their agents, subordinates, employees and anyone acting on their behalf from denying access to the Plaintiff/her husband/her children, jointly or severally to the suit schedule property including the right of residence with police protection in the suit schedule property and costs for the suit.

For Plaintiff : Mrs. Nalini Chidambaram,
Senior Counsel.

For Defendants : Mr. R. Nandakumar (For D1)

Mr. Ramesh Umapathy (For D2)

D3-Dismissed as not pressed.

J U D G M E N T

The Plaintiff had instituted this suit through her Power of Attorney Mr. B. Sankar, claiming for permanent injunction restraining the First to Third Defendants who are her Brother, Father and Mother, from alienating or dealing with the suit property and denying access to her, her husband and children including their right of residence with police protection.

2. When the matter came up before this Court on 11.10.2018, notice was ordered to the Defendants. Today, the First and Second Defendants have appeared in person. Mr. R. Nandakumar, Learned Advocate undertakes to file vakalat for the First and Third Defendants and Mr. Ramesh Umapathi, Learned Advocate undertakes to file vakalat for the Second Defendant.

3. Learned Counsel for the Plaintiff submits that since the Third Defendant is the Mother, who is an aged person and is not disturbing the rights of the Plaintiff in the suit property in any manner, he is

not pressing the suit against the Third Defendant and he has made an endorsement to that effect, which is recorded.

4. The First and Third Defendants, who appeared in person submit that they do not have any objection for granting the reliefs sought by the Plaintiff in the suit and a Joint Memo of Compromise has been filed by the Plaintiff represented by her Power of Attorney Mr. B. Sankar, and the First and Second Defendants, which is recorded.

5. The suit is decreed in terms of Joint Memo of Compromise entered between the Plaintiff and the First and Second Defendants, which shall form part of the decree. No costs.

12.10.2018

vjt

Index : Yes/ No

Internet : Yes/ No

P.D.AUDIKEVALU, J.

vjt

C.S. No. 690 of 2018

12.10.2018