

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.12.2019

CORAM:

THE HONOURABLE MS.JUSTICE S.M.SUBRAMANIAM

A.S.No.1252 of 2015

Mr.A.K.Ramanujam Alias .. Appellant/ Defendant
K..Rajagopal

Vs.

Smt. Janakavalli .. Respondent/Plaintiff

PRAYER: Appeal under Section 96 of the Code of Civil Procedure, 1908, against the judgment and decree made in O.S.No.426 of 2008 on the file of the Additional District Judge, Chengalpattu dated 11.03.2015.

For Appellant : Mr.V.Ravi
For Respondent : Mr.D. Rajagopal

J U D G M E N T

The appeal suit is filed against the judgment and decree passed in O.S.No. 426 of 2008 dated 11.03.2015.

2. The suit was listed for final hearing. The learned counsel for the appellant as well as the learned counsel for the respondent agreed to negotiate and settle the issues as the parties are also willing to resolve the disputes. Accordingly, the learned counsel for the appellant as well as the learned counsel for the respondent have taken initiatives and on account of their efforts, the issues between the parties to the appeal suit are settled and the parties are also present before this Court and agreed for the compromise.

3. In view of these facts, the compromise memo is filed and the same is extracted hereunder:

"JOINT COMPROMISE MEMO FILED BY APPELLANT AND
RESPONDENT

1) The above appeal has been filed against the preliminary decree dated 11.03.2015 made in O.S.No.426 of 2008. On the file of Additional District Judge, Chengulput.

2) The parties in the above appeal have settled their disputes and are filing this

Joint Compromise Memo.

3) The suit property bearing Door No.4/118, Now New No.2/240 Sannathi Street, Singaperumal Koil, located in new survey No.73/10 old survey No.33/5 measures 118X18.25 Square Feet.

4) The Plaintiff shall be entitled to the vacant site along with well adjoining Singaperumal Koil- Anumanthapuram and having entry from Singaperumal Koil, Anumanthapuram Road, measuring 38 X 18.25 Square Feet =694 square feet.

5) The defendant shall be entitled to the land and building measuring 80 X 18 = 1440 square feet which is presently in his possession and enjoyment and having entry from Sannathi Street.

6) The defendant shall pay a sum of Rs.5,61,000/- on or before within two months from this date to the plaintiff and on failure to pay the same within agreed period, the plaintiff shall be entitled to the interest of 12% P/A. on the amount to be paid till the payment is made to the plaintiff.

7) The plaintiff agree to the existing water and drainage of the defendant running through the vacant land to the septic tank will be allowed up to 2 months from this date and the defendant agree to have the same in his property within 2 months from this date.

8) The parties agreed that the Judgment and decree to be pronounced by this Honourable Court shall be treated as Final Decree in the suit.

9) The defendant shall open the door through Singaperumal - Anumanthapuram from today so as to enable the plaintiff to enter to her portion.

10) The parties have settled their disputes once for all and have signed this memo agreeing the terms contained in this memo and pray that this Honourable Court may be pleased to grant a Final Decree in the suit based on this memo.

Dated at Chennai 18th Day of December 2019."

4. In view of the compromise entered into between the parties to the appeal suit, no further adjudication needs to be entertained in respect of the ground raised by the parties. Thus, the compromise memo filed in this appeal suit shall be

treated as a final decree in O.S.No.426 of 2008. Accordingly, the appeal suit in A.S.No. 1252 of 2015 stands disposed of. No costs.

Sd/-
Assistant Registrar(CS I)

//True Copy//

Sub Assistant Registrar

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To

The Additional District Judge,
Chengalpattu.

Copy to:

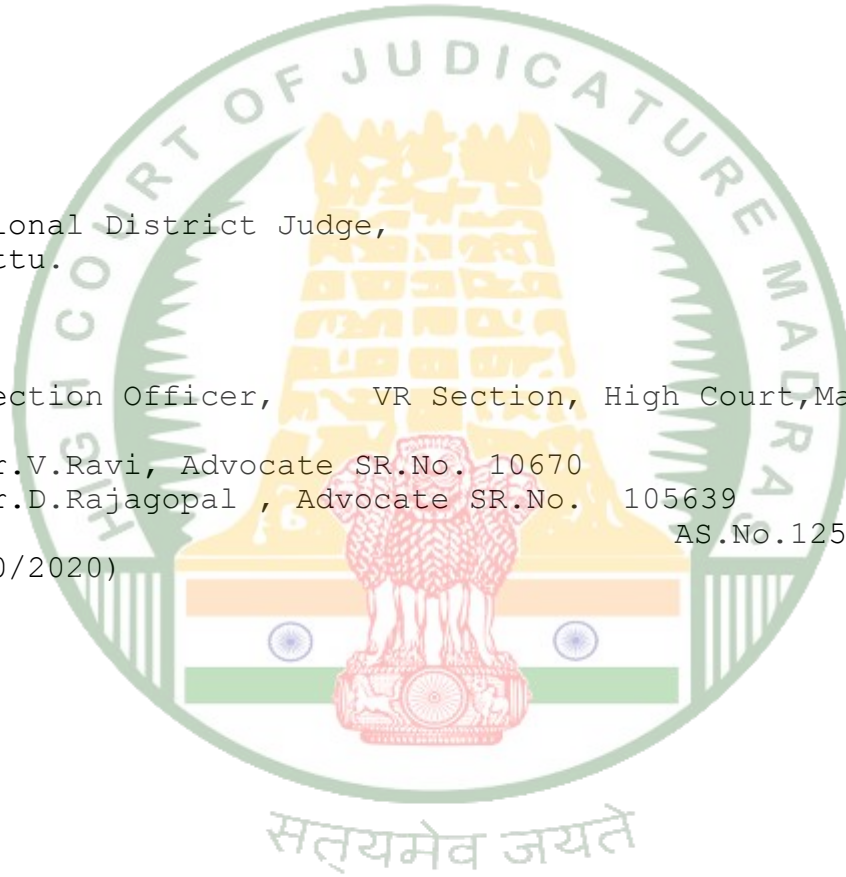
The Section Officer, VR Section, High Court, Madras.

+1cc to Mr.V.Ravi, Advocate SR.No. 10670

+1cc to Mr.D.Rajagopal , Advocate SR.No. 105639

AS.No.1252 of 2015

A.SK(05/10/2020)



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