

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 05.03.2019

CORAM

THE HONOURABLE Ms.JUSTICE P.T.ASHA

CRP.No.2928 of 2018
and
C.M.P.No.17100 of 2018

Doss @ Shanmuga Doss (Deceased)

1.Navamani

2.Youvan

3.James Peter

4.Salomi

5.Arokiyam

... Petitioners

-Vs-

1.Nitin Patel

2.Shankarlal B Patel

(R1 & 2 represented by their power
of Attorney Kalyani)

... Respondents

Prayer: Civil Revision Petition filed under Article 227 of the Indian Constitution to set aside the fair and decreetal order dated 25.07.2017 passed in I.A.No.301 of 2016 in O.S.No.49 of 2006 by the learned Sub-Ordinate Judge, Ponneri and consequently dismiss the I.A.No.301 of 2016 in O.S.No.49 of 2006 by allowing the above Civil Revision Petition.

For Petitioners : Mr.V.Lakshminarayanan
for Mr.R.Munusamy

For Respondents : Mr.J.D.Srikanth Varma

O R D E R

Though extensive arguments have been made by either parties with reference to the issue involved in this Civil Revision Petition, it is conceded by either parties that pursuant to the compromise decree passed on 17.06.2013, both the parties have dealt with the properties and have therefore given

effect to the compromise decree. Having done so, it is not now right on the part of the respondents to contend that the compromise decree has been fraudulently obtained.

2. Therefore, the Civil Revision Petition is allowed on the ground that since the compromise decree has been given effect to, nothing survives for consideration. No costs. Consequently, connected civil miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

dsa

To

The Sub-Ordinate Judge,
Ponneri.

+2ccs to Mr.J.D.Srikanth Varma, Advocate, S.R.No.20899

+2ccs to Mr.R.Munusamy, Advocate, S.R.No.20792

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VD(CO)

RRS (09/04/2019)



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