

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.03.2019

CORAM

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

C.S.No.306 of 2018
and
O.A.No.519 of 2018

1.P.Sumathy

2.Suguna Mohan Ram

3.Sujatha Sayi

4.R.Susheela

5.S.Bharathi

6.V.Renuka

... Plaintiffs

Vs.

S.Venkatesh

... Defendant

Plaint filed under Order VII Rule 1 of CPC read with Order IV Rule 1 of Original Side Rules praying to pass a judgment and decree:

(a) granting partition and separate possession of the property morefully described in suit schedule by metes and bounds into 7 equal shares and allotment of 6/7th share thereof to the plaintiffs;

(b) rental due share of Rs.25,000/- (Rupees Twenty Five Thousand only) per month payable by defendant to the plaintiffs as from date of this suit till partition is effected;

(c) granting permanent injunction restraining the defendant their men, agents, servants or any one claiming through him from letting out, mortgaging, selling or in any other manner alienating the suit property and

(d) for costs of the suit.

For Plaintiffs : Mr.Rajendran Raghavan

For defendant : Mr.S.Janarthanam

J U D G M E N T

The matter was referred to mediation before the Mediation Centre. The parties have entered into an agreement in full settlement of the dispute in the suit. The joint memorandum of compromise signed by the parties as well as the counsel has been filed.

2. In view of the fact that the settlement has been arrived at the Mediation Centre the appearance of the parties is dispensed with and the compromise is recorded. There will be a preliminary decree in the suit in terms of the joint memorandum of compromise. The joint memorandum of compromise shall form part of the decree. In view of the fact that the

matter has been settled before the Mediation Centre pursuant to the reference made by this Court under Section 89 of the Code of Civil Procedure, there will be an order of refund of entire court fee as per Section 69(a) of the Tamil Nadu Court Fees and Suits Valuation Act. No costs. Consequently, the connected Original Application is closed.

13.03.2019

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Index : Yes/No

Internet : Yes/No

Speaking Order/ Non-Speaking Order

List of the witnesses examined on the side of the plaintiffs: NIL

List of Exhibits marked on the side of the plaintiffs: NIL

List of the witnesses examined on the side of the defendant: NIL

List of Exhibits marked on the side of the defendant: NIL

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R.SUBRAMANIAN, J.

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