

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.01.2019

Coram

The Hon'ble Mr. Justice M.M.SUNDRESH
and
The Hon'ble Mr. Justice KRISHNAN RAMASAMY

O.S.A.Nos.68 and 69 of 2014
and
M.P.Nos.2 and 2 of 2014

M.Dhanalakshmi ... Appellant in
both the appeals

Vs

1.V.Vasundara ...Sole Respondent in
O.S.A.No.68 of 2014
and Second Respondent in
O.S.A.No.69 of 2014

2.Park Town Benefit Fund Limited,
Kodambakkam Branch,
73-74, Arcot Road,
Kodambakkam, Chennai - 24. First Respondent in
O.S.A.No.69 of 2014

3.M/s.Vamana Auctioneers,
C.S. Building,
Room No.137, 1st Floor,
New No.1, E.K.Guru Street,
Periamet, Chennai - 3. ..Second Respondent in
O.S.A.No.69 of 2014

Appeals preferred under Clause 15 of Letters Patent
read with Order XXXVI Rule 1 of O.S. Rules against the
order dated 26.03.2013 made in C.S.No.590 of 2002 and
Tr.C.S.No.933 of 2002.

CS.NO.590 OF 2002:

Civil Suit praying that this Hon'ble Court be pleased
to pass a Judgment and decree, in favour of the plaintiff:

a) Directing the defendant to vacate and deliver vacant possession of the Schedule 'B' Property, to the plaintiff.

b). for permanent injunction restraining the Defendant or her men or servants or agents or any one acting on her behalf from in any way interfering with the Plaintiffs peaceful possession and enjoyment of the Schedule 'A' property

c) Directing the Defendant to pay a sum of Rs.75,000/- towards damages for wrongful use and occupation of the suit Schedule 'B' property.

d) Directing the Defendant to pay the future damages for wrongful use and occupation of Schedule B property at Rs.25,000/- p.m. From this date till the date of handing over of possession of same to plaintiff and

TR CS.NO.933 OF 2002:

This Transfer Civil Suit praying that this Hon'ble Court be pleased to pass a Judgment and decree, as follows:

i) to declare that the auction sale held on 28.03.2002 by the 3rd defendant in respect of the property bearing door No.3, Balaji Avenue 1st Street, Thirumalai Pillai Road, T.Nagar, Chennai 600 017 confirmed by the first defendant in favour of the second defendant in respect of the said property which is morefully described in the schedule hereunder is null and void.

ii) to grant permanent injunction restraining the frist defendant or their men, agents, servants, subordinates or anyone under or through them from executing sale deed in respect of property bearing Door NO.3, Balaji Avenue 1st Street, Thirumalai Pillai Road, T.Nagar, Chennai 17 morefully described in the schedule hereunder

iii) to direct the defendants to pay the costs of this suit.

For Appellant ... Mr.R.Thiagarajan
in both the appeals

For Respondents ... No appearance
in both the appeals

COMMON JUDGMENT

(Judgment of the Court was delivered by M.M.SUNDRESH, J.)

These appeals are directed against the order dated 26.03.2013 made in C.S.No.590 of 2002 and Tr.C.S.No.933 of 2002.

2. When the appeals are taken up for hearing, learned counsel appearing for the appellants submits that pursuant to the order passed by the Second Bench, nothing survives for adjudication in these appeals. He would further submit that there was a compromise memo entered into between the parties.

3. In such view of the matter, these original side appeals stand dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS)

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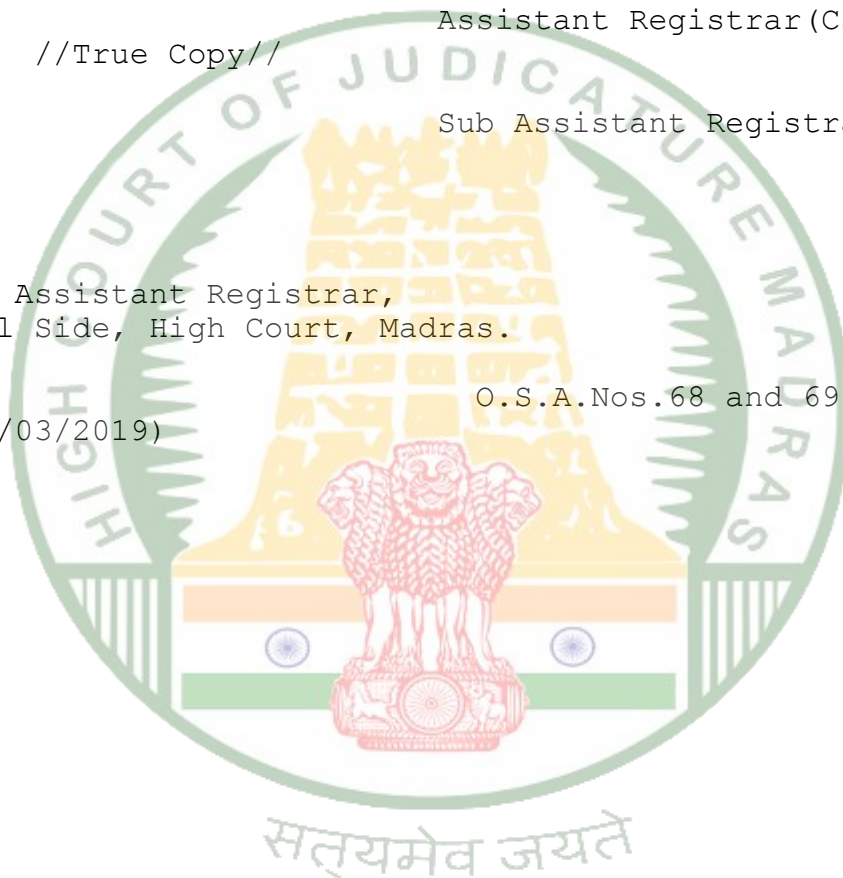
Sub Assistant Registrar

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To

The Sub Assistant Registrar,
Original Side, High Court, Madras.

O.S.A.Nos.68 and 69 of 2014

A.SK(19/03/2019)



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