

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

C.S.No. 710 of 2018

M.S.Mohamed Thameemum Ansari

..Plaintiff

Vs.

1.M.M.Mohammed Fayazdeen

2.M.A.Abubakker Siddique

3.M.N.Niyaz Ahmed

4.M.A.Muhammad Thariq Akthar

5.M.M.Mohamed Salman Sherif

6.M.M.Mohammed Muzzammil

7.M.N.Abdul Latheef Ifan

8.M/s.Mamanji Family Trust

..Defendants

Prayer: Complaint filed under Order IV Rule 1 of Original Side rules r/w. Order VII Rule 1 of the Code of Civil Procedure praying as follows:-

a) to declare that there shall be a partition in respect of the suit properties that are shown as Item Nos. 1 to 9 in the schedule, the plaintiff and the defendants 1 to 7 having equal shares that being 1/8th each.

b) appointing an Advocate Commissioner to effect partition by metes and bounds by dividing the properties.

c) directing the defendants to pay the cost of the to the plaintiff.

R.SUBRAMANIAN, J.

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For Plaintiff : Mr.S.A.Rajan

For Defendants : Mr.A.Aridas for D1 to D7
Mr.S.Anand for D8

ORDER

The suit is one for partition. Pending the suit, the parties have entered into a settlement and a Memorandum of Compromise evidencing such settlement duly signed by the parties and their respective counsels has been produced. The 8th defendant, who is the family Trust has handed over the properties to the heirs of the author of the Trust, as per the directions of the founder.

2. In view of the same, the compromise is recorded and there will be a final decree in terms of the compromise. The Memorandum of Compromise shall form part of the decree. Parties shall bear their own costs.

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