

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.02.2020

Coram

The Hon'ble Mr. Justice V.PARTHIBAN

Second Appeal No.993 of 2010

&

M.P.Nos.2 & 3 of 2010

A.V.Selvam ...Appellant/Appellant/2nd defendant

Vs.

1.R.Tamilarasi 1st Respondent/1st Respondent / Plaintiff

2.A.V.Sathish Kumar (Lunatic)

(Rep by A.V.Selvam - 1st appellant
vide order of this Court in M.P.No.
1 of 2010 dated 25.02.2020)

... 2nd Respondent/3rd respondent/3rd
defendant

Second Appeal filed under Section 100 of C.P.C against the Judgment and decree dated 29.01.2010 in A.S.No.40 of 2006 on the file of the District Judge, Thiruvannamalai, confirming the judgment and decree dated 30.09.2005 in O.S.No.131 of 2001 on the file of the Principal Subordinate Judge, Thiruvannamalai.

For Appellant ... Mr.G.Rajan

For Respondent .. Mr.S.Mukeenth
for Sarvabhauman Associates
(for R.1)
R.2 - Lunatic

JUDGMENT

When the Second Appeal is taken up for final hearing today, a compromise memo has been filed between the parties dated 25.02.2020. The terms of the compromise are extracted herein;

"a)The first respondent is entitled for 1/4th share in the suit property as granted by the decree and judgment dated 30.09.2005 in O.S.No.131/2001 on the file of the Principle Sub Judge, Tiruvannamalai confirmed by the decree and judgement dated 29.01.201 in A.S.No.40/2006 on the file of Principle District Judge,

Tiruvannamalai.

b)The appellant herein is entitled to 1/4th share which is allotted to him by the Courts below mentioned supra. The appellant is also entitled for another 1/4th share allotted to his father Velupillai by virtue of the registered will dated 20.01.2007. Thus the appellant is entitled for 2/4th share or ½ share in the suit property.

c)The second respondent is entitled for 1/4th share in the suit property and the appellant will continue to act as his natural guardian and would take utmost care and caution in safeguard in interest of second respondent share."

2.In view of the compromise entered into between the parties, the Second Appeal is disposed of in terms of the compromise. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

mrm

To

1. District Judge,
Thiruvannamalai

2. Principal Subordinate Judge,
Thiruvannamalai

+1cc to Mr.G.Rajan, Advocate, S.R.No. 16342

+1cc to Mr.S.Mukeenth, Advocate, S.R.No. 16472

Second Appeal No.993 of 2010

NRL (CO)
GN(16/03/2020)