

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.06.2021

CORAM

**THE HON'BLE Ms. JUSTICE R.N.MANJULA**

C.R.P.(NPD).No.2274 of 2015  
and M.P.No.1 of 2015

1.A.Muthusamy

2.Banumathi

... Petitioners/Decree Holders/Plaintiffs

*Vs.*

1.Periyasami

2.Kuppayee

3.Chellammal

4.Pappathi @ Pavathal

... Respondents/Judgement Debtors/Defendants

5.Lakshmi

... 5<sup>th</sup> Respondent/1<sup>st</sup> Decree Holder/1<sup>st</sup> Plaintiff

**PRAYER:** The Civil Revision Petition filed under Section 115 CPC against the fair and decretal Order dated 16.02.2015 made in E.P.No.115/2013 in O.S.No.270/2010 on the file of the I Additional Subordinate Judge at Erode, Erode District.

For Petitioners : Mr.M.Ashwin  
for M/s.Sarvabhauman Associates

For Respondent : Ms.J.Prithivi  
for M/s.S.Kaithamalai Kumaran [R1 to R3]  
R4 & R5 (No appearance)

**ORDER**

*(Heard through video conferencing)*

This Civil Revision Petition has been filed to set aside the Order dated 16.02.2015 made in E.P.No.115/2013 in O.S.No.270/2010 on the file of the I Additional Subordinate Judge at Erode, Erode District.

2. The plaintiffs are the petitioners herein.

3. The learned counsel for the petitioners submitted that as per the compromise entered into between the parties, the western side of the property has been allotted to the plaintiffs and the eastern side of the property has been allotted to the defendants and to that effect, they have even filed a compromise memo. The final Decree has been passed only in accordance with the compromise memo and the E.P. has been filed by requesting to measure the properties once again.

4. The learned counsel for the respondents 1 to 3 submitted that even during the compromise entered into between the parties, the respective share of the parties have been measured and the same issue need not be agitated once again.

5. It is seen from the records that the petitioners are re-agitating the matter which has already been settled at rest and on which, the final Decree has been

In the result, the Civil Revision Petition is dismissed. No costs. Connected miscellaneous petition is closed.

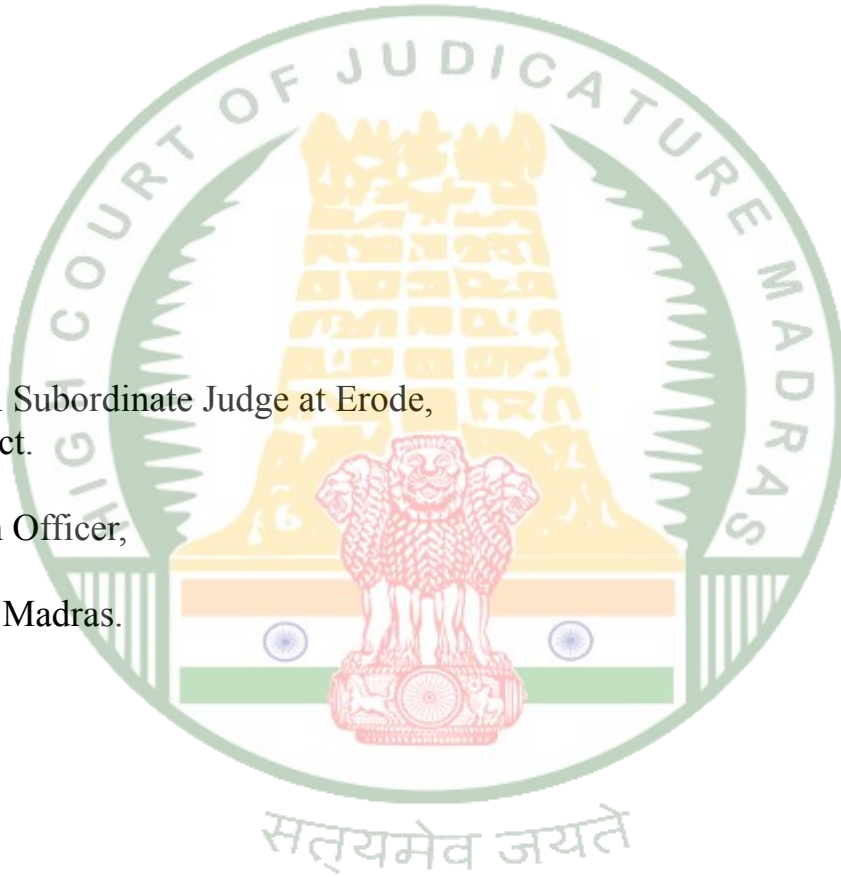
16.06.2021

Index : Yes/No

***Sni***

To

- 1.I Additional Subordinate Judge at Erode,  
Erode District.
- 2.The Section Officer,  
V.R.Section,  
High Court, Madras.



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**R.N.MANJULA,J.**

***Sni***

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16.06.2021

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