



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.09.2021

CORAM : JUSTICE N.SESHASAYEE

C.S.No.719 of 2015

1.Latha
2.Gopika
3.Gokul Kanna
4.Sri Keerthika ... Plaintiffs

Vs.

1.S.Rajammal
2.S.Srinivasan
3.S.Jayaprakash Narayanan
4.S.Jayachandran
5.S.Chithirai Sekar
6.S.Jayaganthan
7.J.Jothiselvam
8.G.Jayagandhi
9.R.Jayanthi
10.I.Jayabharathi
11.Jayabagiavathi ... Defendants

Prayer : Civil Suit filed under Order VII Rule 1 of CPC read with Order IV Rule 1 of O.S.Rules, praying : (a) to pass preliminary decree of partition declaring that the plaintiffs are entitled to get 1/11th share in the suit properties; (b) to pass such other further orders as may be deemed fit to the facts and circumstances of the case.



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For Plaintiffs : Mr.P.Sesubalan Raja

For Defendants : D1 to D11 appeared

JUDGMENT

This is a suit for partition and the matter is now compromised, and a Memorandum of compromise dated 29.09.2021 is filed before the Court.

2. The plaintiffs are the wife and children of a certain Jeyakumar, who is one of the sons of Sivalinga Nadar and Rajammal, the first defendant. The defendants 2 to 11 are also the children of Sivalinga Nadar. The heirs of the Sivalinga Nadar compromised the suit among themselves.

3. The defendants 7 to 10 are stated to have released their share in favour of other sharers. So far as the 11th defendant is concerned, she is the wife of the third defendant, and she claims 8th item of the suit property as her personal property. In this compromise, the contest over 8th item was given up by the other sharers and hence, 11th defendant right over that item is allotted to D3, and her share remains intact so far as the other properties are concerned. Since D7 to D11 have released their share in favour of other sharers, they have not joined the compromise.



4. The learned counsel for the plaintiff submits that the release deed is yet to be released by the Sub Registrar concerned.

5. This Court interviewed all the parties and it is satisfied that they have amicably settled the matter. The memo of compromise is recorded and taken on file. The final decree may be passed in terms of the compromise.

6. The suit is accordingly decreed in terms of the memo of compromise dated 29.09.2021. No costs.

Sd./-N.S.S.J.
29.09.2021

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

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