



C.S.No.743 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.11.2021

CORAM

THE HONOURABLE **MR.JUSTICE N.SESHASAYEE**

C.S.No.743 of 2016

Kavita Jalan

... Plaintiff

Vs.

1.Subhash Agarwal
2.Teleshwari Goyal
3.Yatish Agarwal

...Defendants

The Civil Suit has been filed under Order IV Rule 1 of the Original Side Rules read with Order VII Rule 1 of C.P.C. 1908, praying to pass a judgement and decree

(a) to declare the settlement deed dated 19.08.2009 by the first defendant's parents in favour of first defendant and registered as Doc.No.630 of 2009 on the file of the Sub-Registrar, Mylapore, Chennai-5 as null and void.

(b) directing that the suit schedule property be partitioned into 3 shares by metes and bounds and ordering the delivery of 1/3rd share each to the plaintiff and 1st defendant and 1/6th share each to defendants 2 and 3.

(c) Permanent injunction restraining the 1st defendant his agents, nominees, assigns or any other persons claiming through him from alienating the suit schedule property and for costs.



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For Plaintiff : Mr.Abishek Jenasenan
For Defendants : Mr.R.Parthasarathy for D1

JUDGMENT

(This case has been heard through video conferencing)

It is a suit wherein the plaintiff has sought a relief of setting aside the settlement deed dated 19.08.2009, which the parents of the 1st defendant have executed in his favour. Consequently, the plaintiff has also sought a relief of partition of her share.

2.This Court is informed that the parties have amicably compromised the matter and the Memo of compromise dated 15.11.2021 has been filed in this Court. This Compromise Memo is recorded and taken on file. In terms of the compromise, the learned counsel for the plaintiff submits that the plaintiff is now withdrawing the suit as settled out of Court.

3.This Civil Suit stands dismissed as withdrawn accordingly. The Registry is directed to refund the court fee as per law. No costs.

22.11.2021

kas /dk



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N.SESHASAYEE, J.

kas / dk

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