

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.01.2021

CORAM:

THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

Civil Suit No.333 of 2020 and
Original Application No.632 of 2020

A.Gangadevi,
W/o.K.Arumugam,
No.AP1751,
102nd Street, 14th Sector,
K.K.Nagar, Chennai - 600 078.

Plaintiff

versus

1.M.Sivasankar,
S/o.S.R.Masilamani,
No.2, Kalasathamman Koil Street,
Selavayal, Chennai - 600 051.

2.N.Manimegala,
W/o.R.Nagarajan,,
D/o.S.R.Masilamani,
No.3, 10th Cross Street,
Lakshmipuram, Thiruninravur,
Tiruvallur District - 602 024.

3.M.Varadharajan,
S/o.S.R.Masilamani,
No.5, 2nd Main Road,
Jai Balaji Nagar,
Selavayal, Chennai - 600 051.

4.A.Dilleswari,
W/o.M.Annajothi,
D/o.S.R.Masilamani,
No.1, Mariyammancoil Street,
Koovoor Post, Moonramkattalai Village,
Chennai - 600 122.

5.M.Rajeswari,
W/o.Mani,
D/o.S.R.Masilamani,
No.5, 2nd Main Road,
Jai Balaji Nagar,
Selavayal, Chennai - 600 051.

6.R.Arasappan,
S/o.Ramachandran,
No.20, Indira Gandhi Nagar First Street,
Vyasarpadi, Chennai - 600 039.

7.A.Kalyani,
W/o.R.Arasappan,
No.20, Indira Gandhi Nagar First Street,
Vyasarpadi, Chennai - 600 039.

8.V.Arthi,
W/o.T.Parthasarathi,
No.28, Kumaran Street,
K.K.Thazhai, Madhavaram Milk Colony Post,
Chennai - 600 051.

9.A.Vijayarathinam,
S/o.A.Premaiah,
New No.16, Old No.99A,
Kamaraj Nagar 6th Street,
Korukkupettai, Chennai - 600 021.

10.A.Yasodha,
W/o.A.Vijayarathinam,
New No.16, Old No.99A,
Kamaraj Nagar 6th Street,
Korukkupettai, Chennai - 600 021.

11.K.Rajesh,
S/o.Kaliappan,
No.41/40, Namachivayam Street,
Old Washermenpet,
Chennai - 600 021.

12.V.Nithyakalyani,
W/o.M.Varadharajan,
No.5, 2nd Main Road,
Jai Balaji Nagar,
Selavayal, Chennai - 600 051.

13.The Sub-Registrar,
Madhavaram Sub-Registrar Office,
1st Street, Roja Nagar, Madhavaram,
Chennai - 600 060.

Defendants

Prayer: Plaintiff filed under Order VII Rule 1 of C.P.C. read with Order IV Rule 1 of High Court Original Side Rules, 1956, praying for the following judgment and decree as against the defendants;

a) To pass preliminary decree for partition by the division of the plaintiff schedule property into 6 each shares and out one such share the plaintiff to be allotted 1/6th share by metes and bounds;

b) To declare the partition deed dated 29.08.2011 executed by the defendants 1 to 5 vide Document No.3685 of 2011 on the file of SRO, Madhavaram as null and void;

c) To declare the Sale Deed dated 15.11.2012 registered as Document No.5364 of 2012 on the file of SRO, Madhavaram executed by the 1st defendant in favour of the defendants 6 & 7 as null and void;

d) To declare the Sale Deed dated 17.02.2016 registered as Document No.947/2016 on the file of SRO, Madhavaram executed by the 1st defendant in favour of the defendants 6 & 7 as null and void;

e) To declare the Sale Deed dated 08.11.2019 executed by the 5th defendant in favour of 8th defendant vide Document No.7121 of 2019 on the file of SRO, Madhavaram as null and void;

f) To declare the Sale Deed dated 08.11.2019 executed by the 4th defendant in favour of 9th & 10th defendants vide Document No.7122 of 2019 on the file of SRO, Madhavaram as null and void;

g) To declare General Power of Attorney Deed dated 06.03.2020 executed by the 3rd defendant in favour of 11th defendant vide Document No.1593 of 2020 on the file of SRO, Madhavaram as null and void;

h) To declare General Power of Attorney Deed dated 21.09.2020 executed by the 6th and 7th defendants in favour of 12th defendant vide Document No.4148 of 2020 on the file of SRO, Madhavaram as null and void;

i) To declare General Power of Attorney Deed dated 21.09.2020 executed by the 6th and 7th defendants in favour of 12th defendant vide Document No.4149 of 2020 on the file of SRO, Madhavaram as null and void;

j) For the appointment of Advocate Commissioner for effecting partition in terms of the preliminary decree; and

k) directing the defendants to pay the costs.

For Plaintiff : Mr.Venkateswaran
for Mr.M.Sankar

JUDGMENT

Today, when the suit is taken up for hearing, the learned counsel appearing on behalf of the plaintiff appeared through Video Conferencing and made submission as the dispute having by the plaintiff and the defendants was amicably settled between them. He has also filed a memo dated 23.12.2020 to withdraw the suit. The said withdrawal memo is recorded.

2. In view of the above, this Civil Suit is dismissed as withdrawn. Consequently, connected Original Application is closed. However, there is no order as to costs.

19.01.2021

Speaking order / Non-speaking order

Index : Yes / No

Internet : Yes

sri

R.PONGIAPPAN, J.

sri



Civil Suit No.333 of 2020

and

Original Application No.632 of 2020

WEB COPY

19.01.2021