

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.06.2021

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

C.R.P (PD) No.3506 of 2018

and

CMP.No.19642 of 2018

1. A.Mallika Begam
2. A.Benazir

.... Petitioners

Vs.

R.Abdul Bazid

... Respondent

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the judgment and decree dated 14.08.2018 in C.M.A.No.91 of 2017 passed by the VII Additional Judge, City Civil Court, Chennai and confirming the order and decretal order dated 02.11.2017 in I.A.No.12023 of 2017 in O.S.No.4658 of 2017 passed by the IV Assistant City Civil Court, Chennai.

For Petitioners : Mr.Esakkiappan A.M

For Respondent : No Appearance

ORDER

This Civil Revision Petition is directed against judgment and decree dated 14.08.2018 in C.M.A.No.91 of 2017 passed by the learned VII Additional Judge, City Civil Court, Chennai and confirming the order and decretal order dated 02.11.2017 in O.S.No.4658 of 2017 passed by the learned IV Assistant Judge, City Civil Court, Chennai, thereby confirming the order passed by the Trial Court.

2. The petitioners are the plaintiffs and the respondent is the defendant. The petitioners filed the suit for permanent injunction and the Trial Court ordered the status quo to be maintained by parties in respect of the suit schedule property. Thereafter, the Trial Court vacated the status quo already granted. Aggrieved by the same, the petitioner preferred an Appeal in C.M.A.No.91 of 2017 and the same also confirmed the order passed by the Trial Court. Aggrieved by the same, the present Civil Revision Petition is filed.

3. While pending the Civil Revision Petition, the respondent filed an affidavit dated 23.02.2021 stating as follows:-

“1. It is submitted that the plaintiff herein filed the

above suit in O.S.No.4658 of 2017 before this Court praying for a permanent injunction restraining the defendant and his men, servant, agent, representative or any other person acting in his behalf, from any manner interfering with the plaintiff's peaceful possession and enjoyment of the suit schedule mentioned property.

2. It is submitted that now after passing of 3 years, the defendant herein have come forward to give quietus to the issues considering the future and to close the matter once for all and resolve the disputes amicably.

3. It is submitted that myself and my family members have "No Future Obligation, claim" whatsoever in the Suit Schedule mentioned Property and Decree may be passed."

4. In view of the above affidavit dated 23.02.2021, the parties are directed to file a compromise memo before the Court below forthwith and on receipt of the same, the Court below is directed to dispose of the suit in accordance with the compromise memo, within a period of two weeks thereafter.

G.K.ILANTHIRAIYAN,J.

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5. With the above direction, this Civil Revision Petition is disposed of. Consequently, the connected Miscellaneous Petition is closed. No costs.

29.06.2021

Speaking/Non-speaking order

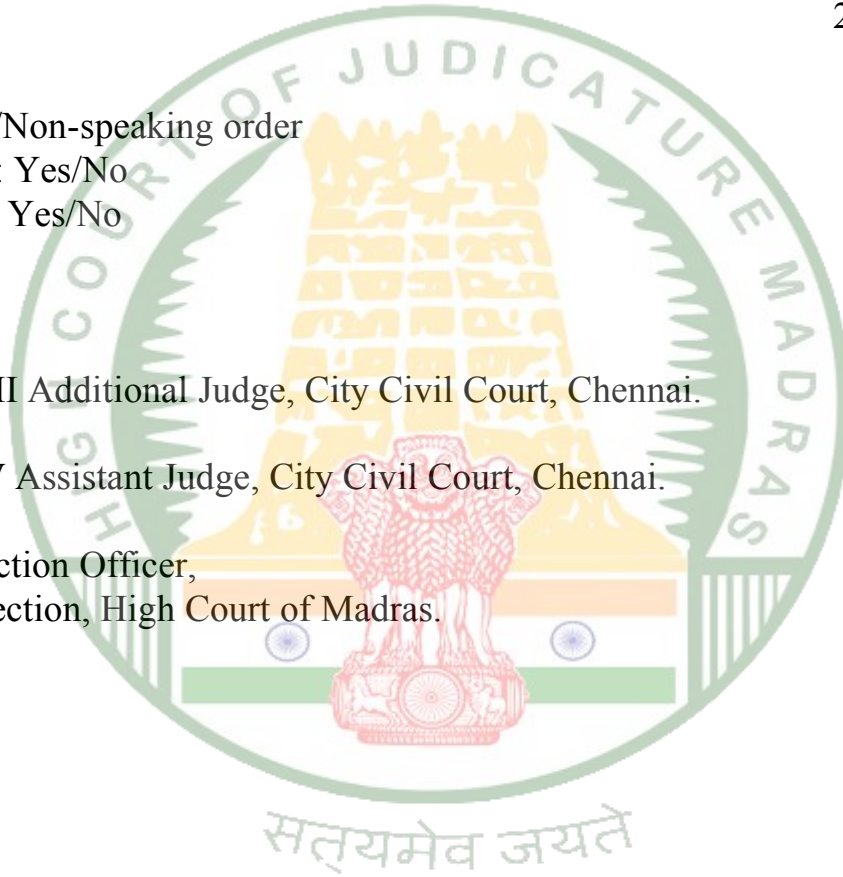
Index : Yes/No

Internet : Yes/No

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To

1. The VII Additional Judge, City Civil Court, Chennai.
2. The IV Assistant Judge, City Civil Court, Chennai.
3. The Section Officer,
V.R. Section, High Court of Madras.



C.R.P (PD) No.3506 of 2018

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