



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.11.2021

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

A.S.(MD)No.210 of 2011 and

M.P.(MD)No.1 of 2011

1. Rengaraj
2. Chandra

... Appellants / Plaintiffs

Vs.

1. Raja
2. Chinnaraj
3. Perammal
4. Thangapandiyan
5. Rathinavel
6. Thangavelammal
7. Sakthivelammal
8. Aandammal
9. Kumarammal

... Respondents / Defendants 1 to 9

Prayer: Appeal suit filed under Section 96 of C.P.C., to set aside the decree and judgment dated 19.07.2011 passed in O.S.No.77 of 2010 on the file of the Additional District Judge cum Fast Track Court, Dindigul and allow the above appeal.

For Appellants : Mr.A.Robinson
For R-3 to R-7 : Mr.Arul,
for Mr.R.Nandakumar.

For R-1,R-2 &
R-8 & R-9 : No appearance.

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J U D G M E N T

The plaintiffs in O.S.No.77 of 2010 on the file of the Additional District Judge, Fast Track Court, Dindigul, are the appellants in this appeal.

2. The suit was for declaration that the earlier decree made in O.S.No.157 of 1975 is null and void and other consequential reliefs. The suit was dismissed by the impugned judgment and decree dated 19.07.2011. Challenging the same, this appeal suit came to be filed.

3. When the matter was taken up for hearing, I suggested to
<https://hcservices.ecourts.gov.in/hcservices/>



the learned counsel on either side to prevail upon the parties to arrive at an amicable settlement. The parties also appeared before me on more than one occasion.

4. I am happy to record that after marathon negotiations between the parties, the matter has been amicably settled. A memo of compromise has been filed. It has been signed by all the parties as well as the respective counsel. Therefore, the impugned judgment and decree are set aside and this appeal suit is disposed of in terms of the memo of compromise dated 02.11.2021. The memo of compromise along with sketch and the report filed by the Advocate Commissioner shall form part of the decree. The Sub Registrar, Ottanchathiram is directed to engross the decree.

5. By consent of both the parties, Mr.A.Mohammed Haneef, No.103, Lawyers Chamber, Madurai Bench of Madras High Court, Madurai, Cell No.9842494977, is appointed as Advocate Commissioner to ensure that the properties are duly identified and also partitioned as per the memo of compromise and delivery is also effected. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

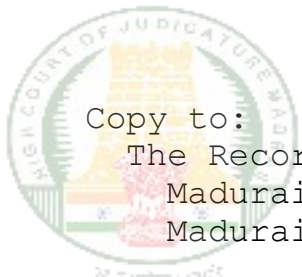
PMU

Enclosed herewith Copy of the Joint Compromise Memo, Advocate Commissioner's Sketch and Report

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

1. The Additional District Judge cum
Fast Track Court, Dindigul.
- 2.Mr. A.Mohamen Haneef, Advocate,
No.103, Lawyers chambers,
Madurai Bench of Madras High Court, Madurai.
- 3.The Sub Registrar, Ottanchathiram,
Dindigul District.



Copy to:
The Record Keeper, V.R.Section,
Madurai Bench of Madras High Court,
Madurai. (2 COPIES)

+1 CC to M/s.R.NANDA KUMAR, Advocate (SR-33715[F] dated 08/11/2021)

+2 CC to M/s.A. RABINSON, Advocate (SR-33731[F] dated 08/11/2021)

A.S.(MD)No.210 of 2011
02.11.2021

RD(5.01.2022) 3P 9C

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