



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.02.2021

CORAM

THE HON'BLE MRS.JUSTICE J.NISHA BANU

C.R.P(MD)No.1470 of 2019

and

CMP(MD) .No.7800 of 2019

WEB COPY

M.Boominathan ...Petitioners / Respondent/Defendant

Vs.

1. M.Manoharan

2. M/s. Sree Gokulam Chits and Finance Co (P) Ltd., Chennai
Rep. by its Authorized Signatory,
Mr.M.Ganesan, Thanjavur.

.... Respondents/ Petitioner/Plaintiff

Prayer: Civil Revision Petition filed under Section 115 of Code of Civil Procedure, to set aside the order passed in E.P.No.142 of 2017 in ARC.No.56 of 2010 on the file of the Principal Subordinate Court, Thanjavur, dated 05.03.2019 and allow this revision petition.

For Petitioners: Mr.S.C.Herold Singh

For Respondents: Mr.M.Manoharan for R1
Mr.M.Ganesan for R2

O R D E R

This Civil Revision Petition has been filed to to set aside the order dated 05.03.2019, passed in E.P.No.142 of 2017 in ARC.No.56 of 2010 on the file of the Principal Subordinate Court, Thanjavur.

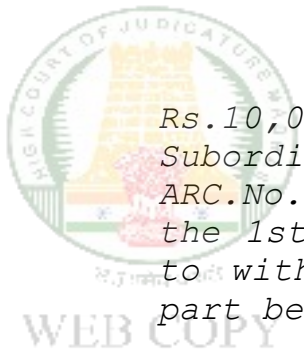
2. Today, when the matter is taken up for hearing, a joint compromise memo dated 06.02.2021 has been filed by the parties, by which, they came to an amicable settlement as follows:-

"a) The party of the 1st part that is the revision petitioner as well as the party of the 2nd part the respondent entered into a compromise so as to give a quietus to the issue which is pending between the parties.

b) The parties agreed that the amount payable by the party of the 1st part that is the revision petitioner to the party of the 2nd part that is the respondent as on date is agreed and arrived at Rs.24,00,000/-.

c) The parties agreed that pursuant to the interim order

<https://hcservices.courts.tn.gov.in/hcservices/HighCourt> dated 28.08.2019, a sum of



Rs.10,00,000/- was deposited before the Principal Subordinate Court, Thanjavur in E.P.No.142 of 2017 in ARC.No.56 of 2010 by the party of the 1st part. The party of the 1st part has no objection for the party of the 2nd part to withdraw the amount deposited by the party of the 1st part before the Principal Subordinate Court, Thanjavur..

d) The party of the 1st part agrees to pay the balance sum of Rs.14,00,000/- (Fourteen Lakhs only) directly to the party of the 2nd part within 5 working days after receiving the sum of Rs.10,00,000/- by the party of the 2nd part from the court towards full and final settlement between the parties to the 1st part and 2nd part.

e) The party of the 2nd part agrees for the same and also agreed to return the title deeds pertaining to the properties described as schedule 1 and 2 in the execution proceedings immediately on receipt of the balance amount of Rs.14,00,000/-.

f) The parties here to agree that there is no other claim or counter claim against each other and the parties also agree that they are no objection to close the execution petitions pending before the courts as against the party of the 1st part as full satisfaction, after the full satisfaction of the total agreed amount of Rs.24,00,000/- (Rupees Twenty Four lakhs only).."

3. The above compromise memo is filed before this Court and placed on record. The respective counsels have also present before this Court today (11.02.2021) and represented that the matter has been settled amicably between the parties. Learned Counsel for the respondents would state that they have no objection for the above compromise.

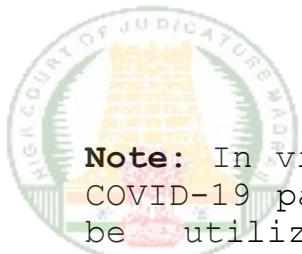
4. In the result, this Civil Revision Petition is disposed of in terms of the joint compromise memo dated 06.02.2021. The joint compromise memo shall form part and parcel of this order. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

/TRUE COPY/

/ /2021
Sub Assistant Registrar

Encl: Xerox Copy of the Compromise Memo.



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 Principal Subordinate Court,
Thanjavur.
2. The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court, Madurai. (2 Copies)

+1cc to Mr.S.C.Herold Singh, Advocate Sr.No.4843

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NR(08.03.2021) 3P:5C