



WP.No.7111 of 2018 and S.A.No.15 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 16.09.2022

CORAM:

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

WP.No.7111 of 2018

and

S.A.No.15 of 2018

1. Mrs. Sengil Lakshmi
2. S.Raja

.. Petitioners in WP.No.7111 of 2018 &
.. Appellants in S.A.No.15 of 2018

Versus

1. The Chairman Cum Managing Director,
Tamil Nadu Slum Clearance Board,
No.5, Kamarajar Salai,
Chennai - 600 005.
2. The Estate Officer,
Tamil Nadu Slum Clearance Board,
No.5, Kamarajar Salai,
Chennai - 600 005.
3. R.Kasiammal

.. Respondents in WP.No.7111 of 2018

1. Kasiammal
2. Tamilnadu Slum Clearance Board,
Represented by its Chairman,
No.5, Kamarajar Salai,
Chennai - 600 005.

.. Respondents in S.A.No.15 of 2018



Prayer in WP.No.7111 of 2018:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, directing the first respondent herein to pass an order on the petitioner's representation dated 22.02.2018, by cancelling the transfer of allotment and its approval made by the first respondent herein in Na.Ka.No.14780/1994/E5 dated 08.07.1994 in favour of third respondent herein, in respect of the allotment of land measuring an extent of 0.92.5sq.mt. which bearing Plot No.156 and Door No.32 under the Sashthri Nagar Area Development Scheme, Chennai.

Prayer in S.A.No.15 of 2018:- Second Appeal is filed under Section 100 of Civil Procedure Code against the judgment and decree dated 15.04.2016 passed in A.S.No.34 of 2015 on the file of the XVI Additional Judge, City Civil Court, Chennai, confirming the judgment and decree dated 20.03.2013 passed in O.S.No.12964 of 2010 on the file of the III Assistant City Civil Court, Chennai.

For Petitioners
in WP.No.7111 of 2018 and
For Appellants
in S.A.No.15 of 2018 : Mr.Manoharan Sundaram

For R1 & R2
in WP.No.7111 of 2018 and
R2 in S.A.No.15 of 2018 : Mr.S.Karthikeyan,
Standing Counsel

For R3
in WP.No.7111 of 2018 and
R1 in S.A.No.15 of 2018 : Mr.S.Krishnaswamy



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COMMON JUDGMENT

Today, when the matters were taken up for consideration, the learned counsel for the petitioners/appellants as well as the learned counsel for the respondents submitted that the dispute between the parties has been amicably settled on 25.08.2022 in the Tamil Nadu Mediation and Conciliation Centre, High Court, Madras.

2.This Court perused the mediation report along with settlement agreement dated 25.08.2022 entered into between the parties and is recorded. For better understanding, the terms of the settlement agreement are extracted hereunder:

“ (i) The appellants Smt. Sengil Lakshmi and Mr.S.Raja demanded a sum of Rs.18,00,000/- (Rupees Eighteen Lakhs only) to give up their right in the suit property and Smt.Kasiammal also finally agreed to pay the said amount and accordingly, she has paid today the said sum of Rs.18,00,000/- (Rupees Eighteen Lakhs only) by way of cheque No.122573 dated 23.08.2022 from her S.B.Account No. 64207978762 drawn on State Bank of India, Shastri Nagar Branch, Chennai in favour of Mr.S.Raja who received the same on his behalf and on



behalf of his mother Smt.Sengil Lakshmi. Smt.Sengil Lakshmi has no objection to receive the said amount by her son Mr.S.Raja on her behalf also.

(ii) The payment of the said amount is towards the full and final settlement of the entire dispute between them with respect of suit property.

(iii) The appellant Smt. Sengil Lakshmi and her son S.Raja admit and declare that Kasiammal shall be the absolute owner of the entire suit property and they undertake not to make any claim of right or title over the said suit property.

(iv) In view of this full and final settlement of the entire dispute between them, the appellant Sengil Lakshmi and Mr.S.Raja undertake to withdraw S.A.No.15 of 2018 and WP.No.7111 of 2018 and they jointly pray that this Hon'ble Court may be pleased to dismiss the S.A.No.15 of 2018 and WP.No.7111 of 2018 as withdrawn and thus render justice.

(v) In view of the entire dispute is fully and finally settled and S.A.No.15 of 2018 and WP.No.7111 of 2018 are dismissed as withdrawn. Smt.S.Sengil Lakshmi and Mr.S.Raja the defendants in O.S.No.12964 of 2010, have no objection for the return of the original documents to the plaintiff Kasiammal, which are filed by her in the said suit, before the Learned III Assistant Judge, City Civil Court at Chennai."



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3.In view of the above, the writ petition as well as the second appeal are dismissed as withdrawn. The settlement agreement dated 25.08.2022 entered into between the parties shall form part of the order.

No costs.

16.09.2022

Index : Yes/No

Internet: Yes/No

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To

1. The XVI Additional Judge,
City Civil Court, Chennai.
2. The III Assistant City Civil Court,
Chennai.
3. The Chairman Cum Managing Director,
Tamil Nadu Slum Clearance Board,
No.5, Kamarajar Salai,
Chennai - 600 005.
4. The Estate Officer,
Tamil Nadu Slum Clearance Board,
No.5, Kamarajar Salai,
Chennai - 600 005.
5. The Section Officer, V.R. Section,
High Court of Madras, Chennai 600 104.



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KRISHNAN RAMASAMY J.,

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