

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEDNESDAY, THE TWENTY SEVENTH DAY OF APRIL

TWO THOUSAND AND TWENTY TWO

PRESENT:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

SA.No.1077/2021

Mrs.Darly ...Appellant/Appellant/12th Defendant

Vs.

Sriramulu Reddiar [Deceased]

1.Subramani

2.Suguna

3.Paramasivam

4.Arjunan

5.Samundeeswari

6.Venkatesan

7.Mohan

8.Lakshmi

9.Parvathi

10.Rajabather

11.Murugesh ...Respondents 1 to 11 /Respondents 2 to 12
Defendants 1 to 11

12.The Joint Sub Registrar Office-1

Chennai South, Saidapet

Chennai 600 015.

...12th Respondent/13th Respondent/
13th Defendant

13.Mr.M.S.Jaganathan

...Respondent No.13/14th Respondent/
14th Defendant

(RR 1 to 12 given up as per the judgment of this Court
today made in SA.No.1077/2021)

Second Appeal filed under section 100 of the Code of
Civil Procedure against the Judgment and Decree dated 04.11.2019
passed in A.S. No. 171/2012 on the file of the Learned I
Additional Judge, City Civil Court, Chennai confirming the

Judgment and Decree in O.S. No. 7034/2007 on the file of the Learned VI Assistant Judge, City Civil Court, Chennai dated 01.02.2012.

DECREE: This Second Appeal coming on for hearing on this day in the presence of Mr.B.Ponnusamy, Advocate for the Appellant and Mr.S.Rajasekar, Advocate for Respondent and the parties having amicably settled the difference between them and arrived at a settlement filed into Court a Memorandum of Compromise dated 27.04.2022 with a prayer to pass a decree in terms of compromise, duly signed by them and their respective counsel, this Court, upon perusing the Memorandum of grounds of Second Appeal, the Decree and Judgment of the Courts below, the material of records and upon perusing the Memorandum of Compromise and having satisfied that the same is true and genuine and entered into voluntarily, record the said Memo of compromise, the original of which is annexed herewith and interms thereof and in supersession of the decrees of the Courts below dispose of the Second Appeal , doth order and Decree as follows:

- (i) That both the parties do hereby agree that the 13th respondent is the absolute owner of all that piece and parcel of land situated at S.No.72/1 admeasuring 76 cents at Manapakkam Village, Sriperumbudur Taluk, Kancheepuram District.
- (ii) That the appellant admit do hereby the unfettered title of the 13th respondent over the schedule property purchased by his late father Sriramulu Reddiar from Mrs.Saliammal and her husband Kottooran alias Munusamy Maistry vide Sale Deed dated 11.08.1966 registered as Doc.No.2608/1966, before the Joint Sub-Registrar-I, Saidapet and marked as Ex.A5.
- (iii) That the appellant give do hereby up her claim over the title, possession as well as patta for the schedule property and undertakes to take all necessary steps to unconditionally cancel the Patta No.1597 issued in her name by the revenue authorities with reference to the schedule of property belonging to the 13th respondent.
- (iv) That the appellant admit do hereby that the sale agreements dated 22.12.2006 registered as Doc.Nos.9716 & 9717 of 2006 in the office of the Joint Sub-Registrar-I, Saidapet are null and void.

(v)The appellant admit do hereby that the Sale Deeds dated 06.02.2007 registered as Doc.Nos.796 & 797 of 2007 in the office of the Joint Sub-Registrar-I, Saidapet executed by Subramani & 10 others are null and void.

(vi)That the appellant do hereby admit that the 13th respondent is in absolute possession and enjoyment of the schedule property on his own right and the appellant shall not cause any obstruction or attempt to interfere with the 13th respondent's peaceful possession and enjoyment of the schedule property.

(vii)That the appellant do hereby admit that in full quit of her claims, has this day acknowledged the receipt of a sum of Rs.60,00,000/- (Rupees Sixty Lakhs Only) from the 13th respondent vide Demand Draft bearing No. 802096 dated 26.04.2022 of State Bank of India, Guindy, Chennai drawn in favour of "M DARLY ACC NO 126415500003065 0 KVB".

(viii)That both the parties do hereby agree that upon entering into the present Joint Memorandum of Compromise, all pending disputes/issues between them has come to an end and there shall be no further claims, whatsoever against one another.

IX) That there be no costs in this Second Appeal.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

- 1.The I Additional Judge,
City Civil Court, Chennai.
- 2.The VI Assistant Judge
City Civil Court, Chennai.

+1 CC to Mr.S.Rajasekar, Advocate sr 29221

Dated: 27.04.2022

DECREE:

S.A.No.1077/2021

Disposing the Judgment and Decree dated 04.11.2019 passed in A.S. No. 171/2012 on the file of the Learned I Additional Judge, City Civil Court, Chennai confirming the Judgment and Decree in O.S. No. 7034/2007 dated 01.02.2012 on the file of the Learned VI Assistant Judge, City Civil Court, Chennai etc as stated within No costs.

RP(CO)
SP(13/05/2022)