

In the High Court of Judicature at Madras

Dated : 16.02.2016

Coram :

The Hon'ble Mr. Justice K.K.SASIDHARAN

C.S.No.699 of 2006 & A.No.705 of 2016

B.M.Purnachandran

.. Plaintiff

-vs-

1.Mrs.C.Meenakshi

2.Mr.R.Chockalingam

3.M/s India Builders,
rep. by J. Uthamkumar

4. M/s Sabari Constructions and Housing
Private Ltd., Rep. by its Managing Director

5.N.Sukumaran Nair, S/o Narayanan Nair
(5th defendant Impleaded as per order dated 08.09.2010
in Application No.5247/2007 in CS.No.699/2006) ..Defendants

Suit filed under Order VII Rule 1 CPC read with Order IV Rule 1 of Original Side Rules to direct the defendants 1 and 2 to specifically perform the oral agreement of sale dated 05.08.2001 as confirmed by the subsequent Agreements on 12.07.2003 and 17.7.2003 by executing and registering the sale deed in favour of the plaintiff receiving the balance sale consideration of Rs.60,10,827/- joining defendants 3 and 4 in execution and registration of the sale deed and to direct the defendants to pay the cost of the plaintiff.

For Plaintiff : Mr.V.Prabhu

For 5th Defendant : Mr.T.V.Vineeth kumar

JUDGMENT

The learned counsel for the plaintiff submitted that the plaintiff is not pressing the suit against defendants 1 to 4, in view of settlement with the fifth defendant.

2.The parties have entered into a memorandum of compromise dated 11.02.2016, which contains the terms and conditions of settlement.

3.The plaintiff and the fifth defendant are present in Court. The parties have confirmed the factum of settlement.

4.In view of the settlement arrived at between the plaintiff and the fifth defendant, the suit is decreed in terms of the memo of compromise dated 11.02.2016. The Memorandum of compromise shall form part of the decree. The suit is dismissed as not pressed against defendants 1 to 4. No costs. Consequently, connected application is closed.

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Index : Yes/No
raa

K.K.SASIDHARAN,J.
raa

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