



C.R.P.No.3196 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.08.2022

CORAM

THE HONOURABLE Mrs. JUSTICE J.NISHA BANU

C.R.P.(PD)No.3196 of 2017
and C.M.P.No.14941 of 2017

1. Ramasamy

2. Natarajan,

3. Duraisamy

.... Petitioners

vs

1. Rajamani,

2. Pannerselvam,

3. Ramasamy,

4. Jayalakshmi,

5. Rukmani,

6. Saraswathi,

7. Rajathi,

8. Saraswathi,

9. Perumayee,

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WEB COM Muthu @ Raja Gounder (died)

Perianna Gounder (died)

Chinnammal(died)

10. Chellammal,

Kandasamy (died)

11. Thangammal,

12. Ponnammal,

13. Baby,

14. Jayalakshmi,

15. Maheshkumar

.... Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, against the fair and decretal order of the Principal District Munsif Court at Namakkal, dated 06.07.2017 in I.A.No.1167 of 2016 in I.A.No.532 of 2012 in O.S.No.139 of 2012.

For Petitioners : Mr.P.Valliappan

For respondents : Mr.S.Kalyanaraman
for R1 and R2
R3 to R15 – No appearance



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ORDER

Though the matter was heard on 12.08.2022 and orders were passed, whereby this Civil Revision Petition was closed, at the time of signing of the order, this Court entertained certain doubts and hence the instant matter was listed under the caption “for clarification”, at the instance of this Court. Accordingly, this Civil Revision Petition is listed today.

2. Learned counsel for the petitioners as well the learned counsel for the respondents would submit that a Joint Memo has been produced before this Court, wherein it has been specifically stated that since both the petitioners and the respondents have resolved their differences, they would pray for setting aside the impugned order, dated 06.07.2017 in I.A.No.1167 of 2016 in I.A.No.532 of 2012 in O.S.No.139 of 2012 on the file of Principal District Munsif Court at Namakkal. It is further submitted that the parties are likely to file a fresh plan before the learned trial Judge and upon considering the same, the trial Judge shall pass appropriate orders as per the terms of the joint compromise.



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3. In view of the filing of joint memo by both the parties, the order passed by the learned Principal District Munsif Court at Namakkal, dated 06.07.2017 in I.A.No.1167 of 2016 in L.A.No.532 of 2012 in O.S.No. 139 of 2012, is hereby set aside and the matter is remanded back to the Court below, thereby directing the petitioners and the respondents to furnish a fresh plan, based on which, the trial Court shall pass the final decree and the said exercise shall be completed within a period of one month from the date of receipt of a copy of this order. The Joint Compromise Memo shall form part of the order.

4. Accordingly, this Civil Revision Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is also closed.

23.08.2022

Index: Yes/No

Speaking/Non-speaking order

vsi/sts

To:

1.The Principal District Munsif Court,
Namakkal.

2.The Section Officer

V.R.Section, Madras High Court.



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J.NISHA BANU, J.,

sts

Order made in
C.R.P. No.3196 of 2017

Dated:
23.08.2022