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C.R.P. No.3849 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.11.2022

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

C.R.P.No.3849 of 2019
and C.M.P.No.25386 of 2019

South Western Engineering India Limited
having its office at
Industrial Estate Post
Pollachi Main Road, SIDCO,
Coimbatore

...Petitioner

Vs.

1. P.Thomas
2. A.James Chandra mohan
3. T.Devadoss

... Respondents

PRAYER: Civil Revision Petition filed under article 227 of Constitution of India, praying to set aside the fair and final order dated 21.08.2019 made in I.A.No.816(A)/2018 in O.S.No.967 of 2014 on the file of the II Additional District Munsif Coimbatore.

For Petitioner : Mr.S.Mukunth

For Respondents : Mr.I.Jenkins William for R1
Mr.Krishna kumar for R2
Mr.Babu for R3



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ORDER

WEB COPY This Civil Revision Petition has been filed by the petitioner seeking to set aside the fair and final order dated 21.08.2019 made in I.A.No.816(A)/2018 in O.S.No.967 of 2014 on the file of the II Additional District Munsif Coimbatore.

2. When the matter is taken up for hearing, both parties along with their respective counsel are appeared before this Court. The terms of memo of compromise read over accepted to be correct and the memo of compromise is recorded. The memo of compromise has been signed by all the parties and also by their respective counsels and identified the concerned parties in the open Court and the same is also recorded. The terms of the memo of compromise is extracted hereunder:-

"The respondent had filed a suit in O.S.No.957 of 2014 on the file of the II Additional District Munsif, Coimbatore against this petitioner seeking possession of the suit property. The petitioner resisted the suit and filed a petition to reject the plaint. The said petition was dismissed on 21.08.2019 Aggrieved over the same, the



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petitioner has filed this revision petition and the same is pending disposal before this Hon'ble Court.

The respondent had preferred a Crl.O.P.No.6679 of 2013 before this Hon'ble Court against this petitioner and the police official for registration of the FIR and as per the directions of this Hon'ble Court the police registered the FIR and filed the final report in the case endorsing mistake of fact. Subsequently the respondent filed a complaint before SHRC against the police official in SHRC Case Nbo.5535 of 2013. The SHRC passed an order dated 26.08.2016 directing the State Government to initiate departmental proceedings against the police officials and ordered re-investigation in the matter. The Respondent preferred W.P.No.18038 of 2018 seeking writ of mandamus to implement the order passed the Tamil Nadu State Human Rights Commission. The writ petition is pending disposal.

Pending disposal of civil and criminal proceedings, both the parties have decided to settle the matter to voluntary negotiations, Pursuant to such, discussion, they have entered into a memorandum of settlement dated 05.11.2022. A copy of the same is enclosed



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herewith. Since the parties have entered into a specific agreement on 05.11.2022 expressing their intention to abide by the terms set out thereon, the parties are withdrawing their respective proceedings for their own benefit.

It is humbly prayed that the settlement may kindly be recorded and the Civil revision petition may be dismissed as withdrawn. This memo may be received and recorded in the interest of justice."

3. In view of the memo of compromise entered into between the parties, this Civil Revision Petition is disposed of in terms of the compromise. The terms of compromise shall form part of the order in the Civil Revision Petition. Consequently, the connected miscellaneous petition is closed.

21.11.2022

Index : Yes / No
Internet : Yes / No
Speaking/Non-speaking order
msrm



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To
The II Additional District Munsif, Coimbatore.



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T.V.THAMILSELVI, J.

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