



A.S.Nos.824 to 826 of 2009

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.01.2023

CORAM :

THE HONOURABLE MR. JUSTICE S.S. SUNDAR

AND

THE HONOURABLE MR. JUSTICE A.A.NAKKIRAN

A.S.Nos.824 to 826 of 2009

and

M.P.Nos.1, 2 & 2 of 2009

Dr.V.Siddharthan

... Appellant
in all appeals

Vs.

1.V.Rajamani
2.Chinnal @ Kariyagoundachi
3.Sampath Kumar
4.G.Palaniyappan

... Respondents
in A.S.No.824 of 2009

1.The District Revenue Officer,
O/o. The Collectorate,
Salem.

2.The Tahsildar,
Taluk Office,
Yercaud,
Salem District.



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3.The Village Administrative Officer,
Kottachedu,
Yercaud Taluk,
Salem District.

4.V.Rajamani

... Respondents
in A.S.No.825 of 2009

1.Sampath
2.Matheena
3.Palaniappan
4.Chinnammal @ Kariya Goundachi
5.Vellayee
6.Vellaiyan
7.Selvam
8.A.T.Balu
9.V.Rajamani

... Respondents
in A.S.No.826 of 2009

Common Prayer : Appeal Suits in A.S.Nos.824, 825 and 826 of 2009 filed under Section 96 of Code of Civil Procedure against the judgment and decree dated 05.11.2008 in O.S.Nos.144, 105 and 107 of 2007 respectively on the file of the Additional District Judge (Fast Track Court No.II), Salem.

For Appellant : Mr.V.Ayyadurai
for Mr.V.B.Perumal Raj
in all appeals

For Respondents : Mr.K.Selvaraj
for R1 in A.S.No.824 of 2009;
for R4 in A.S.No.825 of 2009 &
for R3,R5& R9 in A.S.No.826 of 2009



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- : R2 to R4 in A.S.No.824 of 2009
given up vide this order
dated 31.01.2023
- : Father name differs
for R6 & R7 in A.S.No.826 of 2009
- : No appearance
for R1 to R3 in A.S.No.825 of 2009
for R1, R2, R4, R8
in A.S.No.826 of 2009

COMMON JUDGMENT

(Judgment was delivered by **S.S. SUNDAR, J.**)

Today, learned counsel for the 1st respondent, who is the plaintiff in the suit, has filed a memo, dated 31.01.2023, on behalf of the 1st respondent/plaintiff in O.S.No.144 of 2007 stating that, since no relief is claimed as against defendants 2 to 4 in the suit in O.S.No.144 of 2007, he has given up as against defendants 2 to 4 from the array of parties in the suit itself. The said memo is recorded.

2.A Joint Memorandum of Compromise, dated 31.01.2023, signed by the appellant and the 1st respondent/V.Rajamani is produced before this

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Court today. The Joint Memorandum of Compromise is signed by the appellant, the 1st respondent and the counsel for the appellant and the 1st respondent. The learned counsels representing the appellant and the 1st respondent have also identified the parties who are present before this Court today. The terms of the compromise are as follows :

“4) By way of several rounds of talks they have arrived at settlement to put an end in respect of their entire disputes as per the following terms and conditions:

- a) The 1st respondent Mrs. V.Rajamani has agreed to pay Rs.45,00,000/- (Rupees Forty Five Lakhs only) in total to Dr.V.Siddharthan the appellant herein within two months from today. It is also agreed that Dr.V.Siddharthan is entitled to get the sum of Rs.15,00,000/-(Rupees Fifteen Lakhs only) deposited by him in the Court deposit.*
- b) The appellant Dr.V.Siddharthan upon receipt of the said Rs.45,00,000/- (Rupees Forty Five Lakhs only) declares that Mrs. V.Rajamani is the absolute owner of the properties morefully described in the Schedule hereunder.*
- c) The appellant Dr.V.Siddharthan hereby agrees that Sale-deed dated 16.02.2001 executed by Mrs.*



V.Rajamani in favour of Dr.V.Siddharthan, the appellant herein, as void subject to compliance of clause (a) & (b) of this Memo.

- d) The appellant Dr.V.Siddharthan agrees that the physical Possession of the Schedule properties shall be delivered to the 1st respondent Mrs. V.Rajamani on payment of the above said amounts*
- e) The parties hereby agree to register or index this Compromise Decree in the concerned Sub-Registrar Office at the expenses of Mrs.V.Rajamani.*
- f) The parties hereby agree to bear their own costs.*
- g) The parties to this Joint Memorandum Compromise agree to dismiss the other appeals in A.S.No:825 & 826/2009 in view of the above terms of compromise.”*

3.The parties as well the counsels appearing for them requested this Court to dispose of these appeals and pass a decree in terms in the Joint Memorandum of Compromise. Having regard to the terms of the compromise and the request of the learned counsel on either side, this Court is inclined to dispose of these appeals in terms of the Joint Memo of Compromise.



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4. Accordingly, these appeals are disposed of in terms of the Joint Memorandum of Compromise. The terms of the Joint Memorandum of Compromise, dated 31.01.2023, shall form part of records. No costs. Consequently, connected miscellaneous petitions are closed.

5. As agreed by the parties, the appellant is permitted to withdraw the money which was deposited by the appellant before the lower Court, lying to the credit of the suit.

(S.S.S.R., J.) (A.A.N., J.)
31.01.2023

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Internet : Yes

Index : Yes / No

To

1. The Additional District Judge
(Fast Track Court No.II),
Salem.

2. The Section Officer,

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and
A.A.NAKKIRAN, J.

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31.01.2023