



C.R.P(NPD)No.656 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.10.2023

CORAM :
THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

Civil Revision Petition (NPD) No.656 of 2020
and C.M.P.No.3400 of 2020

1.P.Umameshwari (Died)

2.Senthilkumar

3.Hariharan

4.V.P.Jaishankar

(Petitioners 2 & 3 are LR's of the deceased P-1 viz P.Umameshwari as per the memo dated 27.10.2022 vide Court order dated 27.10.2022 made in C.R.P.No.656 of 2020 and C.M.P.No.3400 of 2020 by RHJ)

... Petitioners

Vs.

1.Vasantha

2.Kameeswari

3.Karthiga

4.D.Manigandan

... Respondents

Civil Revision Petition filed under Article 227 of the Constitution of India praying to set aside the fair and decretal order dated 02.12.2019 in RCA.No.1 of 2017 on the file of Principal Subordinate Court Vellore



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confirming the fair and decretal order dated 20.12.2016 in R.C.O.P.No.5 of 2010 on the file of Principal District Munsif Court, Vellore.

For Petitioners : Mr.R.Subramanian

For Respondents : Mr.S.Annamalai

ORDER

This Civil Revision Petition has been filed by the petitioners to set aside the fair and decretal order dated 02.12.2019 in RCA.No.1 of 2017 on the file of Principal Subordinate Court Vellore confirming the fair and decretal order dated 20.12.2016 in R.C.O.P.No.5 of 2010 on the file of Principal District Munsif Court, Vellore.

2. When the matter was taken up for hearing learned counsel on either side has submitted that the fourth petitioner and the respondents have agreed to settle the dispute amicably and the respondents have agreed to give 6 months' time to the fourth petitioner to vacate the premises and hand over vacant possession. The fourth respondent also agreed to pay Rs.4000/- per month from November 2023 till the time he vacate and hands over



possession. The fourth petitioner has agreed to handover the possession on 01.05.2024 to the respondents. They have also filed a Joint Memo of Compromise dated 30.10.2023 to that effect. For better appreciation, the said Joint Memo dated 30.10.2023 is extracted hereunder:

“The petitioners have challenged the order passed in R.C.A.No.01/2017 on the file of Sub Court, Vellore confirming the order passed in R.C.O.P.No.5/2010 on the file of District Munsif Court, Vellore.

During the pendency of revision the 1st petitioner died and petitioners 2 and 3 were recorded as her legal heirs. The 1 petitioner and the 4th petitioner were carrying on business in the shop which is subject matter of R.C.O.P. Now after the death of the 1st petitioner, the 4th petitioner is alone running the shop.

It is submitted that the 4th petitioner and the respondents have agreed to settle the dispute amicably. Accordingly the respondents have agreed to give 6 months time to the 4 petitioner to vacate the premises and hand over vacant possession. The 4th respondent also agreed to pay Rs.4000/- month from November 2023 till the time he vacates and hands over possession.

The 4th petitioner has agreed to handover possession on 01.05.2024 to the respondents.

As far as the arrears of rent payable by the petitioners, from 01.04.1997 to 31.10.2023, the petitioner has been depositing the said amount to the credit of the R.C.O.P.



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proceedings since the respondent did not receive the same and the petitioner has no objection for the respondent to withdraw the said amount.

It is therefore prayed that this Hon'ble Court be pleased to record this Joint Memo of Compromise arrived between the parties and thus render justice."

3. The aforesaid Joint Memo of Compromise dated 30.10.2023 has been taken on record by this Court.

4. Recording the Joint Memo of Compromise dated 30.10.2023 submitted by the learned counsel on either side, this Civil Revision Petition stands closed. No costs. Consequently, connected miscellaneous petition is also closed.

30.10.2023

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Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No



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