



C.S.No.19 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.02.2023

CORAM

THE HONOURABLE **MR.JUSTICE SENTHILKUMAR RAMAMOORTHY**

C.S.No.19 of 2023
and O.A.No.70 of 2023

1.Arati Vilvaraj
2.Vishnu Lakshmi
3.Master Vidya Sai Vilvaraj
Plaintiffs

...

-VS-

1.Chandra Ananthasayanam
2.Arjun A Raja

... Defendants

PRAYER: Civil Suit filed under Order VII Rule I of the CPC Read With Order IV Rule 1 of O.S.Rules, pleaded to pass a decree and judgment in favour of the plaintiffs for a permanent injunction restraining the defendants or their men or their agents or anybody claiming under or through them on behalf of the defendants from interfering with the plaintiffs peaceful possession and enjoyment of the suit property in any manner or in any capacity or whatsoever and to direct the defendants to pay the cost of the



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suit.

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For Plaintiffs : Mr.K.P.Sathish Kumar

For Defendants : Dr.R.Maheswari

JUDGMENT

The suit was instituted for permanent injunction to restrain the defendants from interfering with the plaintiffs' peaceful possession and enjoyment of the suit schedule property.

2. The first and second plaintiffs and both the defendants were present in person on 08.02.2023 and their presence was dispensed with for subsequent hearings.

3. Pursuant to negotiations, the parties have drawn up and presented a joint memorandum of compromise dated 07.02.2023 (the memorandum of compromise). On perusal, the said memorandum of compromise has been



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signed by the following persons: first plaintiff both for herself and on behalf of the third plaintiff, who is a minor; the second plaintiff; both the defendants; and the respective counsel.

4. The memorandum of compromise provides for payment of a sum of Rs.6,00,00,000/- (Rupees Six Crores only) by the second defendant to the plaintiffs in the manner specified in clause-I thereof. It further provides that the plaintiffs shall vacate and hand over the vacant possession of the suit schedule property to the second defendant at the time of signing the memorandum of compromise.

5. Upon examining the terms of compromise, I see no impediment in decreeing the suit in terms thereof subject to the condition that the minor's share of Rs.2 crore be deposited in an interest bearing fixed deposit account. The plaintiffs have produced two fixed deposit receipts evidencing the deposit of a sum of Rs.1 crore in each fixed deposit receipt of the HSBC Bank. The maturity date is 12.06.2023. Since the minor would attain the age of majority in about four months, the said fixed deposits fulfil the



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purpose.

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6. For reasons aforesaid, C.S.No.19 of 2023 is decreed in terms of the joint memorandum of compromise dated 07.02.2023, which shall form an integral part thereof. In view of the settlement, there will be no order as to costs. Consequently, O.A.No.70 of 2023 is closed.

15.02.2023
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Index : Yes / No

Internet : Yes / No



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