



A.No.1262 of 2023 in C.S No.925 of 2015

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A.A.NAKKIRAN, J

This matter is posted today before this Court under the caption 'For Being Mentioned' at the instance of the learned counsel appearing for the plaintiffs.

2. The learned counsel appearing for the plaintiffs submitted that this Court by an order dated 22.08.2023, passed a final decree, in which para 4, the measurement of item I of suit schedule property has been wrongly mentioned as **2226.1** sq.ft instead of **2252.00** sq.ft. as per the Advocate Commissioner's plan and measurements and also the 50% share allotted to the plaintiff has been wrongly mentioned as **1113.5** sq.ft instead of **1126** sq.ft. and also the share allotted to the defendants 1 to 4 has been wrongly mentioned as **221.375** sq.ft. each instead of **210.50** sq.ft. each to the defendants 1 to 4. She further submitted that in the said order, common passage measurement has not been mentioned. Hence, she prays to rectify the defects.

3. Considering the submissions made by the learned counsel for the plaintiffs, paras 4 and 5 of the order dated 22.08.2023 in A.No.1262 of 2023 in C.S No.925 of 2015 shall be read as follows:

4. As per Advocate Commissioner's plan measurements in Item I of the suit schedule property, out of 2252.00 sq.ft., the plaintiff is allotted 50% share i.e 1126 sq.ft. on the southern side and other parties i.e respondents/defendants 1 to 4 are



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allotted 210.50 sq.ft. each with a common passage measuring 284 sq.ft. from west to east, starting from Rangaiah Street. As per the Commissioner's plan, Item II, out of 1200 sq.ft., in Plot No.54 (vacant land), the respondents/defendants 1 to 4 are allotted 300 sq.ft. each from east to west which were denoted as D1, D2, D3, and D4 respectively starting from front side road on the eastern side. As per plan Item-III, in Plot No.53, the plaintiff is allotted the entire property i.e 1200 sq.ft. vacant land. Both the parties have agreed for the said terms.

5. With the above terms, a final decree is passed. The Commissioner's report and plan Item Nos.1 to 3, shall form part of the final decree.

4. In other aspects, the earlier order passed by this Court dated 22.08.2023, shall stand unaltered.

26.03.2024

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Note: Registry is directed to issue a fresh order copy after making necessary corrections.



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