



Rev.Appl.Nos.181 to 183 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 11.01.2023

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THE HON'BLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Rev.Appl.Nos.181 to 183 of 2021

1. Y.Viswanathan  
2. Y.Srinivasan .... Petitioners in all Rev.Appls

Vs

1. Y.Laxman  
2. Salviona .... Respondents in all Rev.Appls.

**Common Prayer :** Review Application filed under Section 114 read with Order XLVII Rule 1 & 2 of Civil Procedure Code to review the order dated 30.07.2019 in C.R.P (NPD) Nos.3960 to 3962 of 2017 on the file of this Court.

**In all Review Applications**

For Petitioners : M/s.K.S.Kamatchi

For Respondents : Mrs.K.M.Valsala  
for Mr.K.S.Kumar

**COMMON ORDER**

These Review Applications have been filed to review the Judgment and Decree dated 30.07.2019 made in C.R.P (NPD) Nos.3960 to 3962 of 2017 on the file of this Court.



2. Pending Review Applications, the parties have entered into a Joint Memo of Compromise on 11.01.2023. In the Joint Memo of Compromise, the following terms and conditions have been agreed :

*“A. The petitioners are hereby handing over the entire Original Title Deeds of the following properties belonging to the respondents :*

*i) The residential flat in the 2<sup>nd</sup> floor of the building situated at New No.27/9, Old No.14/9, Car Street, Triplicane, Chennai – 600 005 (Sale Deed bearing document No.750 of 1994 dated 08.06.1994 regd before the SRO Triplicane)*

*ii) The residential flat in the 1<sup>st</sup> floor of the building situated at No.50/111, V.R.Pillai Street, Triplicane, Chennai – 600 005 (Sale Deed bearing document No.499 of 1992 dated 08.04.1992 regd before the SRO, Triplicane)*

*The petitioners have handed over the entire title deeds of the above mentioned properties to the respondents on this the 5<sup>th</sup> day of January 2023 and the respondents hereby acknowledge the receipt of the same.*

*B. The petitioners and respondents further agree that apart from the rents already paid by the petitioners and the respondents, the petitioners had paid a further sum of Rs.9 lakhs as full and final settlement of the arrears of rent payable to the respondents.*

*The petitioners have paid a total sum of Rs.9 lakhs by way of NEFT (5 lakhs through Indian Bank on 14<sup>th</sup> day of December*



2022 and 4 lakhs through Canara Bank on 15<sup>th</sup> day of December 2022) as full and final settlement of the arrears of rent payable to the respondents and the respondents hereby acknowledge the receipt of the same.

C. The respondents have agreed to withdraw the suit O.S.No.1837 of 2020 pending on the file of the VII Additional City Civil Court in view of the signing of this joint memo of compromise. The petitioners agreed to withdraw the suit for partition in O.S.No.1857 of 2020 on the file of the XVIII Asst City Civil Court, Chennai in view of the signing of this joint memo of compromise.

D. The respondents state that the original title deed (Doc.No.756/1993) of the properties standing in the name of the Review Petitioners is not available with them.

E. The parties have agreed to bear their respective costs in the present petition.

F. There has been no coercion, undue influence or fraud exerted on the parties in brining about this Joint Memo of Compromise.”

3. The above said Joint Memo of Compromise, dated 11.01.2023 shall form part and parcel of this order. The Trial Court is directed to refund the Court fee which was paid by the respondents herein. It is submitted that the original title deed of the respondents registered vide document 756 of 1993 is not available with them. Therefore, the respondents are at liberty to lodge a



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complaint and seek non-traceable certificate for the missing documents.

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4. With the above observation, these Review Applications stand disposed of. There shall be no order as to costs.

11.01.2023

Speaking/Non-speaking order

Index : Yes/No

Internet : Yes/No

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**G.K.ILANTHIRAIYAN,J.**



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