



WEB COPY



CRP.No.641 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.02.2023

CORAM:

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

CRP.No.641 of 2016
and CMP.No.3298 of 2016

T.Velu(deceased)
rep. by his legal heirs
1.V.Saroja
2.V.Sudakar
3.T.V.Santham
4.Vivekanandan
5.Uma

... Petitioners

Vs.

S.Pattu

... Respondent

PRAYER: Civil Revision petition is filed under Article 227 of the Constitution of India praying to call for the records relating to the fair and decretal orders made in EP.No.2162 of 2014 in OS.No.7835 of 1999 dated 07.01.2016 on the file of the learned X Assistant Judge, City Civil Court at Chennai and to set aside the same and to allow this revision.

For Petitioners : Mr.A.Anand

For Respondent : Mr.R.Vijayaraghavan

ORDER

This civil revision petition has been filed to set aside the fair and decretal orders made in EP.No.2162 of 2014 in OS.No.7835 of 1999 dated



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07.01.2016 on the file of the learned X Assistant Judge, City Civil Court at

Chennai.

2. Today, the matter has been posted under the caption “for reporting settlement”. Both the learned counsel for the petitioners and the respondent informed that pending the above civil revision petition, the parties have settled the dispute between them by memo of compromise signed by the third petitioner and the respondent as well as their counsel dated 31.01.2023, the relevant portion of which is extracted hereunder:

“1) It is respectfully submitted that the third petitioner and respondent in the above CRP.No.641 of 2016 have mutually entered into a compromise on the following terms in respect of the decree passed in OS.No.7835 of 1999 dated 12.04.2001 and OS.No.7992 of 1999 dated 12.04.2001.

i) The 3rd petitioner has agreed to pay and the respondent herein agreed to receive a sum of Rs.5,00,000/- (Rupees Five Lakhs only) in full discharge of entire decree amount covered in OS.No.7835 of 1999 dated 12.04.2001 on the file of XV Assistant Judge, City Civil Court, Chennai and OS.No.7992 of 1999 dated 12.04.2001 on the file of the City Civil Court, Chennai.

ii) In view of the above agreement reached between the parties referred above, the third petitioner has deposited and transferred the sum of Rs.2,00,000/- (Rupees Two Lakhs only) (Transaction No.TNSCH23028208600 & IMPS



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REF.No.302909686276) by way of Account Transfer to the Account of respondent vide Account No.520101021104286, Union Bank of India, Ashok Nagar Branch,

iii) The remaining sum of Rs.3,00,000/- (Rupees Three Lakhs only) is payable by the third petitioner to the respondent herein on or before 30.05.2023.

iv) If the 3rd petitioner fails to pay the agreed balance amount of Rs.3,00,000/- (Rupees Three Lakhs only) within the time stipulated in clause (iii) above, the respondent herein is at liberty to proceed further to execute the above said decrees in accordance with law.

Therefore, the 3rd petitioner and the respondent prays that this Hon'ble Court may be pleased to record this Memo of Compromise and close the above CRP.No.641 of 2016 and thus render justice".

3. Recording the above memo of compromise dated 31.01.2023, this civil revision petition is disposed of. The terms of the above memo of compromise shall form part and parcel of this order. Consequently, connected miscellaneous petition is closed. No order as to costs.

16.02.2023

Index :Yes/No

Internet : Yes/No

Speaking order/non-speaking order

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G.K.ILANTHIRAIYAN, J.

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To

The learned X Assistant Judge,
City Civil Court at Chennai

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