



C.S.No.454 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.08.2023

CORAM

THE HONOURABLE Ms. JUSTICE **R.N.MANJULA**

C.S.No.454 of 2018

and

A.Nos.2044, 2984 & 2045 of 2022

1. Mrs.Soundaram Krishnan (Deceased)
 2. Mrs.Malini
 3. K.Sriraman
 4. Mrs.Revathi Rangarajan
- (Plaintiffs 2 to 4 are brought on record as legal heirs of deceased plaintiff as per order dated 18.10.2022 passed in A.No.4123/2022)

... Plaintiffs

-Vs.-

1. Mr.V.Ramaswamy
2. Mrs.Ramakrishnan
3. Mrs.Geetha Venugopal

... Defendants

Prayer: Civil Suit filed under Order IV Rule 1 of Original Side Rules r/w Order VII Rule 1 of CPC, praying to pass a judgment and decree:

a) Directing the defendants to effect partition by metes and bounds the property described fully in the schedule hereunder and allot 1/4th share to the plaintiff;

b) Directing the defendants to pay to the plaintiff the costs of this suit;
and



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c) granting such further or other reliefs as this Hon'ble Court may deem fit and proper under the circumstances of the case and thus render justice.

For Plaintiffs : Mr.R.Murugan

For Defendants : Ms.Vasudha Thiagarajan

J U D G M E N T

The 4th plaintiff, who is residing in USA had executed a General Power of attorney in favour of the 2nd plaintiff to sign, verify the affidavit and Memorandum of Compromise in respect of the share of the 4th plaintiff in the suit property. The General Power of Attorney executed by the 4th plaintiff has been produced before this Court. The Memorandum of compromise has been filed. When enquired, the parties signed the Memorandum of compromise after accepting to its contents.

2. It is stated that the 2nd plaintiff has received money in view of the shares for the plaintiffs to the tune of Rs.70,00,000/- as seen in the Memorandum of compromise executed by the plaintiffs and the entire amount is said to have been settled. The terms of compromise settled between the parties for the above settlement is produced as document.



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3. Since the 2nd plaintiff has received the payment on behalf of all the plaintiffs and the plaintiffs 3 & 4 do not deny the same, I feel the terms of memorandum of compromise can be recorded. The 3rd plaintiff, who is present before this Court, has also stated that it is the 2nd plaintiff, who had received the money on behalf of the plaintiffs 3 & 4. Hence, the terms of compromise is recorded.

4. Accordingly, the Civil Suit in CS.No.454 of 2018 is decreed in terms of compromise and the terms of compromise shall form part of the decree. Consequently, connected Applications are closed.

03.08.2023

Index: Yes/No

Speaking Order : Yes/No

Neutral Citation Case: Yes/No

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To

1. The Sub-Assistant Registrar, Original Side, High Court, Madras.

2. Record Keeper, Original Side Records Section, High Court, Madras.



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R.N.MANJULA, J.

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