



AS.No.106 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **27.07.2023**

CORAM

THE HONOURABLE MR.JUSTICE **R.SUBRAMANIAN**
and
THE HONOURABLE MRS.JUSTICE **R.KALAIMATHI**

A.S.No.106 of 2022

T.P.Rajmohan

... Appellant

vs.

1. N.Rajeswariammal

N.Padmanaban (Died)
(Since died on 07.06.2021)

2. R. Komalavalli

3. G.Santhakumari

4. N.Jothilakshmi

5. P.Devaki Padmanaban

6. P.Jawahar Babu

7. P.Santhiya

8. P.Pooja



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9. Anitha Preethi

... Respondents

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R2 Died, R9 is brought on record as LR's of deceased 2nd respondent viz. N.Padmanaban, vide order of Court dated 27.07.2023 made in CMP No.14606 of 2023 in AS No.106 of 2022 [RSMJ and RKMJ]

Appeal suit has been filed under Section 96 read with Order XLI Rule 1 of the Civil Procedure Code, to set aside the judgment and decree dated 20.03.2020 passed in OS.No.6542 of 2019 on the file of XVII Additional City Civil Court, Chennai.

For Appellant : Mr.P.V. Sudakar

For Respondents : Mr.P.Jonson

J U D G M E N T

(Judgment of the Court was delivered by R.SUBRAMANIAN, J.)

The challenge in the appeal is to the dismissal of the suit in O.S.No.6542 of 2019 (original filed in this Court as C.S.No.620 of 2011). The said suit was filed by the appellant seeking recovery of possession and mesne profit. The suit was dismissed by the trial Court. Pending appeal the parties have entered into a compromise. The joint



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memorandum of compromise signed by all the parties and their respective counsel has been placed before us.

2. As per the said memorandum, the appellant has paid a sum of Rs.19,00,000/- (Rupees Ninteen Lakhs only) by way of 9 demand drafts, which has been apportioned between the respondents as agreed to by them. The details of the Demand Drafts have also been set out in the joint memorandum of compromise. The copy of the Aadhar card of the parties are also enclosed. It is also stated that the respondents have delivered possession of the property to the appellants. All the parties are present and they would affirm the terms of the compromise.

3. In view of the same, the Appeal is disposed of in terms of the compromise, there will be a decree in terms of the joint memorandum of compromise. The Joint Memorandum of Compromise shall form part of the decree. There shall be no order as to costs.

(R.SUBRAMANIAN, J.) (R.KALAIMATHI, J.)
27.07.2023

jv



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Index : No
Internet : Yes
Neutral Citation : No
Non speaking order

To

The XVII Additional City Civil Court,
Chennai.



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R.SUBRAMANIAN, J.

and

R.KALAIMATHI, J.

jv

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