



C.R.P.No. 3566 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.12.2023

CORAM:

THE HONOURABLE Mrs. JUSTICE T.V.THAMILSELVI

C.R.P.No. 3566 of 2023

and

C.M.P.No.22317 of 2023

1.D.Chellammal
2.Sudha Sivaprakasam

.. Petitioners

Vs

1.M/S.BMR Ventures (A partnership firm)
Represented by Managing Parter, S.Mohanraj
Having its registered office at
Door Nos.7 & 8, 29th street,
Kalashethra Colony,
Besant Nagar,
Chennai-600 090.

.. Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the impugned order dated 01.08.2023 made in I.A.No.3 of 2022 in O.S.No.5967 of 2022 on the file of the learned VI Additional District Judge, City Civil Court at Chennai.

For Petitioners : Mr. J. Ravikumar

For Respondent : Mr. S. Ambalavanan



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ORDER

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When the matter is taken up for hearing, both the learned counsel appearing for the petitioner and the learned counsel for the respondent submits that the matter has been resolved between the parties before the Mediation and Conciliation Centre. This Court has also perused the mediation report dated 01.12.2023. It is also seen from the joint memorandum of compromise filed on behalf of the respondents before this Court, which is extracted hereunder: -

1. Both parties hereby agree to cancel the deed of lease dated 02.01.2020, which was registered before the SRO, Neelankarai under Document No.152/2020. In this connection both parties agree to present an application before the sub-registrar of Neelankarai on the date which is more convenient to both parties.

2. The Petitioners/Defendants agree to repay the security deposit to the extent of Rs.21,00,000/- (Rupees Twenty one lakh only) by way of Demand Draft on the date of cancellation of the Lease Deed dated 02.01.2020 before the Sub-Registrar, Neelankarai.

3. The Respondents/Plaintiffs agree to handover the vacant possession of the demised property comprised in



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(old survey No.82/2A1A1B4) New survey No.82/2A1A1A1B4 measuring to an extent of 47 cents (0.19.0 Hec) bearing Patta No.4485 situated at No.115, East Coast Road, Neelankarai, Chennai – 600 115, unconditionally with immediate effect, free from all encumbrance if any.

4. The Respondents/Plaintiffs hereby agree to withdraw the suit in O.S.No.5967 of 2022, which is pending on the file of the learned VI Addl. District Judge, City Civil Court, Chennai. Similarly, the Petitioners/Defendants also agree to request the Hon'ble Court to dispose of the Civil Revision Petition in CRP.No.3566 of 2023 which is now pending on the file of the Hon'ble High Court in terms of this memorandum of compromise. Equally the Petitioners/Defendants also agree to withdraw the RLTOP 10/2022 which is pending before the learned Principle District Munsif (Rent Controller).

5. Whereas, since the Petitioners/Defendants and the Respondents/Plaintiffs have been ironing out their differences and settled their disputes amicably, they have no further claims or demands against each other in future whatsoever.

6. We, the Petitioners/Defendants and the Respondents/Plaintiffs jointly pray, that this Hon'ble Court may be pleased to record the Memorandum of Compromise



entered by us and dispose the Civil Revision Petition in CRP.No.3566/2023 accordingly since we both have settled out dispute amicably.

7. The 1st Petitioner/1st Defendant, Mrs. Chellammal, W/o, K.Duraisamy, being the mother of the 2th petitioner/2nd Defendant, Mrs. Sudha Sivaprakasam, has set her signature for herself and also on behalf of the 2nd Petitioner/2nd Defendant. Mrs. Sudha Sivaprakasam, as she is not able to come down to Chennai from Coimbatore today due to unstableness of weather condition.

2. In view of the settlement between the parties, this Court records the joint memorandum of compromise and the terms of joint memorandum of compromise shall form part and parcel of this order.

3. In the result, the Civil Revision Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

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Index :Yes/No
Neutral Citation :Yes/No
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To
The VI Additional District Judge, City Civil Court,
Chennai.



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T.V.THAMILSELVI, J.

AT

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