

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MAI
(Civil Appellate Jurisdiction)



Monday, the Twentieth day of March Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice R.SURESH KUMAR

AND

The Hon`ble Mr.Justice K.K. RAMAKRISHNAN

AS(MD) . No.50 of 2013

THANGAPRIYA

... Appellant/Plaintiff

Vs

RAJADURAI

... Respondent/Defendant

Prayer :-

This Appeal Suit filed under section 96 of C.P.C., prefer against the judgment and decree dated 23.11.2012 in OS No.87 of 2011 on the file of the II Additional District and Sessions Court, Trichy.

Decree:-

This Appeal Suit coming on for hearing on this day in the presence of Mr.C.Vakeeswaran, Advocate for the Appellant and Mrs.N.Krishnaveni, Senior Counsel for Mr.P.Thiagarajan, Advocate for the respondent and the matter having been referred to Mediation Centre, and the Appellant as well as the respondent having filed the joint compromise memo dated 20/03/2023, before this Court signed by both parties and counsels.,this Court while recording the Joint memo of Compromise and Disposing of the Appeal Suit, doth order and decree as follows:

i)That the Respondent herein/Defendant shall pay a sum of Rs.1,60,16,000/-(Rupees One crore Sixty lakhs and sixteen thousand only) to the Appellant herein/Plaintiff and the Appellant shall receive the said amount in lieu of her share of 35% in item no.1 to 4 in the suit property;

ii)that the payment of the said sum of Rs.1,60,16,000/-(Rupees One crore Sixty lakhs and sixteen thousand only) by the Respondent to the Appellant and receipt of the said amount by the Appellant on the following dates be and are here by records:

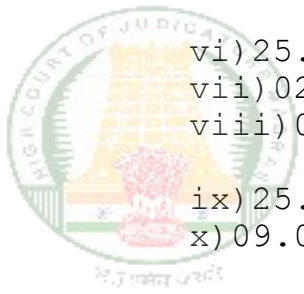
i)15.12.2022 -Rs.9,00,000/- DD No.923295740 (Indian
overseas Bank)

ii)15.12.2022 -Rs.1,16,000/- DD No.923295757 (Indian
overseas Bank)

iii)04.01.2023 -Rs.9,00,000/- DD No.923295497 (Indian
overseas Bank)

iv)04.01.2023 -Rs.9,00,000/- DD No.923295458 (Indian
overseas Bank)

v)05.01.2023 -Rs.2,00,000/- DD No.923295465 (Indian
overseas Bank)



vi) 25.01.2023 -Rs.10,00,000/- DD No.515768 (Canara Bank)
vii) 02.02.2022 -Rs.50,00,000/- DD No.515769 (Canara Bank)
viii) 05.01.2023 -Rs.49,50,000/- DD No.923305347 (Indian
overseas Bank)
ix) 25.01.2023 -Rs.15,50,000/- DD No.515784 (Canara Bank)
x) 09.03.2023 - Rs.5,00,000/- DD No.923388268 (Indian
overseas Bank)

iii) that the Appellant herein/Plaintiff, shall relinquish all her right, title and interest in respect of the Suit properties in favour of the respondent herein, in lieu of the amount received by her;

iv) that the Appellant herein/Plaintiff shall not claim any right over Suit Properties and also on all other properties left by the Appellant's mother in law or father in law, which were not included in the Suit Schedule properties;

v) that the respondent herein/Defendant shall have every right to be in possession and enjoyment with full right of alienation of Suit properties item 1 to 5 and all other properties left by Mr.Sivaprakasam and Ms.Chandra;

vi) that the Appellant herein/ Plaintiff shall co-operate with the respondent in getting mutation of the revenue records in the name of the respondent;

vii) that the Appellant and Respondent shall register this memo of compromise and decree before the appropriate registration Office;

Viii) that the Appellant herein/Plaintiff shall execute a relinquishment deed with respect to not only the suit schedule property but for all the properties left over by Mr.Sivaprakasam and Mrs.Chandra, in favour of the respondent herein/Defendant; and

ix) that there be no costs in the in the Appeal Suit.

Sd/-

Assistant Registrar (As)

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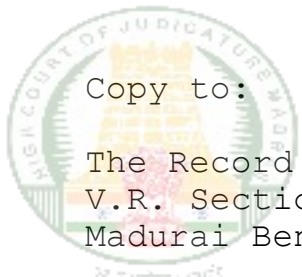
/04/2023

Sub Assistant Registrar (CS)

Encl: Copy of Mediation Report & Compromise Memo.

TO

<https://www.mhc.tn.gov.in/judis>
The Additional District and Sessions Court,
Trichy.



Copy to:

The Record Keeper,
V.R. Section,
Madurai Bench of Madras High Court, Madurai(+2 copies)

+1 CC to M/s.C.VAKEESWARAN, Advocate (SR-16369 dated 20/03/2023)

+1 CC to M/s.P.THIYAGARAJAN, Advocate (SR-16753 dated 21/03/2023)

ORDER DATED : 20/03/2023

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COMPROMISE DECREE
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AS(MD) . No.50 of 2013

Disposing of the AS(MD). No.50 of 2013,as per the terms of conditions of the Compromise Memo dated 20/03/2023 prefer against decree and judgment and and decree dated 23.11.2012 in OS No.87 of 2011 on the file of the II Additional District and Sessions Court, Trichy. etc. as stated within.

MGJ(25.04.2023) 3P 6C