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Original Side Appeal No.138 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 23.07.2024

CORAM:

THE HONOURABLE MR JUSTICE R.SUBRAMANIAN

AND

THE HONOURABLE MR JUSTICE R.SAKTHIVEL

Original Side Appeal No.138 of 2023

and CMP No.16757 of 2023

V.P. Srinivasan

... Appellant

Versus

V.P.Senthil Kumar

.... Respondent

PRAYER: Original Side Appeal filed under Order XXVI Rule 9 of Madras High Court Original Side Rules read with Clause 15 of Letters Patent, to set aside the order and decree passed in Application No.4661 of 2021 in C.S.No.901 of 2016 dated 19.09.2022.



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Original Side Appeal No.138 of 2023

For Appellant : Mr. S.Krishnasamy

For Respondent : Mr.P.J.Rishikesh

J U D G M E N T

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

Challenge in the Appeal is to the final decree for partition pending the Appeal, the parties have settled the disputes and have filed a Memorandum of Compromise, agreeing upon allotment of specific portions of the property to each of them. Apart from that the respondent has agreed to pay a sum of Rs.11,00,000/- to the appellant and has also paid a sum of Rs.5,00,000/- towards the first installment by way of Demand Draft No.807190 drawn on State Bank of India, Panakal Park Branch, T.Nagar, Chennai. Both of them would affirm the terms of the compromise.

2. A Memorandum of Compromise evidencing the arrangement between the parties has also been placed before us. In view of the same, the compromise is recorded the Appeal will stand disposed of in terms of the Memorandum of Compromise. In view of the compromise, there will be a final decree in the suit



Original Side Appeal No.138 of 2023

in CS No.901 of 2016 as per the compromise arrived at between the parties. The
Memorandum of Compromise shall form part of the decree.

(R.SUBRAMANIAN, J.) (R.SAKTHIVEL, J.)

23.07.2024

jv

Index : No

Internet : Yes

Neutral Citation : No

Speaking Order

To

The Section Officer,
Original Side,
High Court of Madras



WEB COPY



Original Side Appeal No.138 of 2023

R.SUBRAMANIAN, J.

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jv

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