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A.No.450 of 2024
in
C.S.No.158 of 2004

A.A. NAKKIRAN, J.

This application has been filed by the applicant to accept the Memorandum of Compromise dated 22.01.2024 entered into between the plaintiff and the defendants 1 and 2 and thereby pass an order with regard to the Plaint schedule property.

2.The learned counsel appearing for the applicant would submit that on 22.01.2024, the applicant and the defendants 1 and 2 have entered into a Memorandum of Compromise and therefore, he seeks to allow this application.

3.The learned counsel for the respondents would submit that other contesting defendants are there. Therefore, at this stage, this application is not maintainable and prayed for dismissal.

4.On a perusal of the records, it is seen that apart from the defendants 1 and 2, there are 9 defendants in the present suit. Sufficient opportunities



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ought to have been given to put forth their case. Only after full fledged Trial and after analysing the entire oral and documentary evidence let in by both sides and hearing arguments, this Court can come to proper conclusion. Hence, at this stage, this Court is not inclined to entertain the application.

5.In the result, this application is dismissed. No costs.

05.03.2024

mps



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