



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :23.01.2024

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

C.S.No.212 of 2005
and
CS.No.724 of 2006

C.S.No.212 of 2005

True Value Homes (I) Private Limited
No.21, C.V.Raman Road,
Awlarpet, Chennai 600018
now having office at TVH Novella Second Floor,
Plot No.112, Old Door No.4, Door No.16/17,
3rd Cross Road, Raja Annamalaipuram,
Chennai 600028.

... Plaintiff

vs.

1.B. Sakunthala (Deceased)
2.Babu Janardhanam (deceased)
3.B. Sathyanaayanan
4. S.N.Usha
(Impleaded as legal heirs of deceased 1st defendant
as per order dt 25.02.2020 in A.No.471 of 2020)
5.Samyuktha
6.Harshavardhan
7. T.S.Aditya
8.S. Jaai Vishnu
(Defendants 5 to 8 are impleaded as per order dt 05.01.2024).

...Defendants



Prayer :- Civil Suit filed under Order IV Rule 1 of O.S. Rules read with Order VII Rule 1 of the Civil Procedure Code praying for a judgment and decree against the defendants for the following reliefs-

a) directing the defendants to specific performance of agreement of sale/joint development dated 24.07.2003 by receiving the balance consideration of Rs.5,73,300/- from the plaintiff and registering the sale deed or sale deeds in favour of the plaintiff or its nominee / nominees in respect of 17,164 sq.ft undivided share of the schedule property free of encumbrances and hand over vacant possession of the schedule mentioned property not already occupied by the plaintiff failing which direct the registrar to execute the sale deed/deeds through court in favour of the plaintiff.

b) declare that the deed of revocation of power of attorney dated 21.02.2005 registered as Document No.208 of 2005 in the office of the SRO, T.Nagar, as illegal, null and void and thereby not binding on the plaintiff.

(or)

In the alternative direct the defendants to register the sale deed or sale deeds in favour of the plaintiff or its nominee / nominees in respect of



1908 sq.ft undivided share of the schedule property free of encumbrances at her expense failing which direct the registration of the sale deed/deeds through court and

c) directing the defendants to pay the costs of the suit.

CS.No.724 of 2006

1.B. Sakunthala (Deceased)

2.Babu Janardhanam (deceased)

3.B. Sathyanaayanan

4. S.N.Usha

(The plaintiffs 2 to 4 are impleaded as legal heirs of the sole plaintiff as per order dated 11.03.2020 in A.No.826/2020 and time extended as per order dated 14.12.2020)

Vs.

1. True Value Homes (I) Private Limited
No.21, C.V.Raman Road,
Awlarpet, Chennai 600018
now having office at TVH Novella Second Floor,
Plot No.112, Old Door No.4, Door No.16/17,
3rd Cross Road, Raja Annamalaipuram,
Chennai 600028.

2. Murugan

...Defendants

Prayer :- Civil Suit filed under Order IV Rule 1 of O.S. Rules read with Order VII Rule 1 of the Civil Procedure Code praying for a judgment and decree against the defendants for the following reliefs-

For Plaintiffs in CS.No.724/2006 : Mr.D.Saikumaran

& Defendants in CS.No.212/2005



WEB COPY

For Plaintiffs in CS.No.212/2005 : M/s.Aiyar & Dolia
& Defendants in CS.No.724/2006

COMMON JUDGMENT

When these matters are taken up for hearing today, the learned counsel for the plaintiffs and the defendants submitted that these matters have been compromised between the parties. Pursuant to the same, they have filed a memorandum of Compromise dated 23.01.2024 which has been duly signed by them and their respective counsel.

2. Also, Mr. N. Ravichandran, has filed an affidavit stating that though he is not a party to the suits, as the Chairman of the Company, he has given his consent accepting cancellation of the Deed of Sale registered as Document No.411 of 2005 in the office of the Sub- Registrar, T.Nagar and he will execute and register appropriate document as required in the jurisdictional Sub Registry. The said Memorandum of Compromise and affidavit are recorded.

3. In view of the same, the suit is decreed in terms of the



Memorandum of Compromise entered between the parties and the

Memorandum of Compromise and the said affidavit shall form part of the decree. The Court Fee is ordered to be refunded to the plaintiffs as per law.

23.01.2024

Index :Yes/No

Internet: Yes/No

gv

Note:

The Registry is directed to

- a) Issue order copy on or before 24.01.2024 and
- b) Return the original documents to the plaintiffs in CS.No.212/2005.



WEB COPY



A.A.NAKKIRAN,J.

Gv

C.S.No.212 of 2005
and
CS.No.724 of 2006

23.01.2024