



A.S.No.80 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.10.2024

CORAM

THE HON'BLE MR.JUSTICE RMT.TEEKAA RAMAN

A.S.No.80 of 2024
and
C.M.P.No.2691 of 2024

1. S.Sathar
S.Rahimabi (died)
2. Shakeela

... Appellants

Vs.

Basheera

... Respondent

Appeal Suit is filed under Section 96 of the Civil Procedure Code read with Order XI Rule 1, to set aside the fair and decreetal order dated 15.12.2022 made in I.A.No.121 of 2013 in O.S.No.1 of 2010 by the Learned Additional District Court, Krishnagiri.

For Appellants : Mr.T.S.Baskaran

For Respondent : Mr.S.Eshwar



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JUDGMENT

The learned counsel appearing for both sides would submit that the matter has been settled between the parties on 24.07.2024 before the Mediation Centre at Krishnagiri.

2. The learned counsel for the respondent has filed a memo of compromise on 22.10.2024 along with the settlement agreement dated 24.07.2024 which has been signed by the parties and attested by the respective counsels. It is stated in the memo of compromise that, the following settlement has been arrived at between the parties hereto:

“A. Both parties agreed to settle the issues amicably by entering into a settlement agreement by sharing the properties as described in the sketch enclosed along with the settlement agreement by allocating definite shares to the petitioners and the Respondent respectively by allotting Green Colour portions to the Respondent Basheera and the Yellow Colour Portions to the Petitioners S. Sathar and Shakila. And Further the Red Colour Portions are allotted to Both the parties to be used as common Road. The descriptions of the properties allotted to the petitioners and



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the respondents are attached along with the plan and this forms part of this Settlement Agreement.

B. Both the parties hereby agree that they shall amicably and peacefully enjoy the common pathway as per the Sketch and plan without disturbing the peaceful possession and enjoyment of each other.

C. The Respondent Basheera agrees to get the Entry made in the encumbrance certificate with respect to Document No.5323/2023 dated 15-12-2023 to be cancelled as per this terms of settlement arrived.

D. As per the terms of the Settlement arrived and the agreement entered upon the petitioners and the Respondent agrees to get the Decree and the Judgment passed in AS.No.80/2024 as per this Settlement agreement enclosed.

E. The Respondent Basheera agrees that she will not make any claim in respect of the properties stated in the Decree passed in the O.S.No.01/2010 on the file of The Additional District Court, Krishnagiri.

3. The memo of compromise filed by the respondent is taken on record.



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4. In view of the settlement made between the parties, this Appeal Suit is disposed of as settled out of court. The memo of compromise shall form part of the decree. No costs. Connected miscellaneous petition is closed.

23.10.2024

raja
Index : yes/no
Internet : yes/no
Speaking Order / Non-Speaking Order

To

The Additional District Court, Krishnagiri.



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RMT.TEEKAA RAMAN, J.

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