



WEB COPY



OSA NO.180 OF 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.03.2024

CORAM:

**THE HONOURABLE MR. JUSTICE R.SUBRAMANIAN
AND
THE HONOURABLE MR. JUSTICE R.SAKTHIVEL**

OSA NO.180 OF 2015

AND

CMP NO.3862 OF 2024

The Chairman
Tamil Nadu Slum Clearance Board
No.5, Kamaraj Salai,
Chennai – 600 005.

... Appellant

Vs.

1.C.T.Valliammai Achi
2.CT.Muthu Veerappan
3.C.Sivagami
4.R.Seethalakshmi (Deceased)
5.CT.Arunachalam

6.The Commissioner
Corporation of Chennai
Rippon Buildings,
Chennai – 600 003.

7.Vasantha Valliappan
8.Ramanathan Govindan
9.Annamalai Ramanathan



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(R4 died. R7 to 9 are brought on record as LR's of the deceased 4th respondent viz., (R.Seethalakshmi) vide order of Court dated 27.11.2023 made in CMP Nos. 27140, 27134 & 27137 of 2023 in OSA No.180 of 2015)

... Respondents

PRAYER: Appeal filed under Order XXXVI Rule 1 of Madras High Court Original Side Rules read with Clause 15 of the Letters Patent, praying to set aside the decree and judgment made in C.S.No.878 of 2004 dated 28.02.2013.

For Appellant	:	Ms.G.Thilakavathy Senior Counsel Assisted by Mr.S.Karthikeyan
For Respondents 1 to 3, 5 and 7 to 9	:	Mr.PL.Narayanan Senior Counsel for Mr.E.Hariharan
For Respondent 6	:	Ms.P.T.Ramadevi Standing Counsel

J U D G M E N T

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

A Memo dated 04.03.2024 has been filed by the learned counsel for the respondents 1, 2, 3, 5, 7, 8 and 9 stating that the first respondent C.T.Valliammai Achi died on 03.05.2018 and her Legal Heirs



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are already on record as respondents 2, 3, 4, 6, 7 and 8. They were recorded as the Legal Representatives of the deceased first respondent C.T.Valliammai Achi.

2.A Memorandum of Compromise dated 05.03.2024 has been filed by the parties which has been signed by the respondents 2 and 5. It is also seen that they are authorized by the other respondents to enter into the compromise.

3.The learned counsel for the appellant has also handed over two demand drafts viz., bearing No.021251 dated 19.12.2023 drawn on IDBI Bank, Anna Nagar Branch, for a sum of Rs.3,60,864/- (Rupees Three Lakhs Sixty Thousand Eight Hundred and Sixty Four Only) and bearing No.021249 dated 19.12.2023 drawn on IDBI Bank, Anna Nagar Branch for a sum of Rs.90,00,000/- (Rupees Ninety Lakhs Only), both in favour of C.T.Muthuveerappan / second respondent, to the learned counsel for the respondents 1 to 3, 5 and 7 to 9 and the same is recorded.



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4.The Appeal stands disposed of in terms of the Memorandum of Compromise. The Memorandum of Compromise will form part of the decree. The parties will be entitled to get the terms of compromise registered as it is a decree of the Court. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

5.In view of the judgment of the Hon'ble Supreme Court in ***HIGH COURT OF JUDICATURE AT MADRAS REP. BY ITS REGISTRAR GENERAL VS. M.C.SUBRAMANIAM AND OTHERS*** [2021 (3) SCC 560] the Court fee paid in the appeal is directed to be refunded to the appellant.

[R.S.M., J.]

[R.S.V., J.]

05.03.2024

Index : No
Internet : Yes
Neutral Citation : No
Speaking Order
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R.SAKTHIVEL, J.

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