



S.A.No.916 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.02.2024

CORAM:

THE HON'BLE MR.JUSTICE V.LAKSHMINARAYANAN

S.A.No.916 of 2013 &

M.P.No.1 of 2013

1.Balasundaram Pillai

2.Chandra Babu Pillai @ Babu Pillai

... Appellants

Vs.

1.Lalitha

2.Maheshwari

3.Velmurugan

4.Senthil Kumar

5.Jayanthi

... Respondents

PRAYER: Second Appeal filed under Section 100 of Code of Civil Procedure against the Judgment and Decree dated 25.04.2013 passed in A.S.No.17 of 2010 on the file of the Subordinate Judge, at Madurantakam by confirming the Judgment and Decree dated 11.01.2010 passed in O.S.No.251 of 2006 on the file of the District Munsif, Madurantakam.



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For Appellants : Mr.K.Govi Ganesan

For Respondents : Mr.S.L.Sudarsanam

JUDGMENT

The present Second Appeal arises out of the judgment and decree of the court of learned Subordinate Judge at Madurantakam in A.S.No.17 of 2010 dated 25.04.2013 in confirming the judgment and decree of the court of learned District Munsif at Madurantakam in O.S.No.251 of 2006 dated 11.01.2010.

2. Pending the appeal, Mr.K.Govi Ganesan and Mr.S.L.Sudarsanam represented before this court that the matter has been settled out of court and the parties have divided the suit items equitably. In



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order to demonstrate the same, they have filed a memorandum of compromise signed by all the parties on 29.12.2023.

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3. All the parties appeared before the Court and their identities have been verified by the Court Officer.

4. I asked the parties whether they have signed the memo of compromise. All of them agreed that the matter has been settled in terms of the compromise recorded on 29.12.2023 which is reproduced hereunder:



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North by : Chandrababu's land
South by : Perumal Family land in S.F.No.121
East by : Annadurai lands
West by : Balasundaram own land

The plan is annexed along with this compromise showing **37 cents in Blue Colour.**

Likewise in the said S.F No.121, the **2nd Appellant Chandra Babu Pillai @ Babu Pillai** shall be allotted **Acre 0.37 cents (plan showing the land is marked in Green colour)** bounded on the

North by : Damodaran Family lands
South by : Balasundaram lands
East by : Shanmugam lands
West by : His own lands

The remaining extent of **Acre 0.77 cents** in S.F.No.121, **(plan showing the land is marked in Yellow colour)** shall be allotted to the share of the **Respondents / Plaintiffs viz Lalitha, Maheswari, Velmurugan, Senthil Kumar, Jayanthi**, all the legal heirs of the late Perumal Pillai and bounded on the

M. V. Narasimhan

M. V. Narasimhan

Lalitha
m. maheswari
P. V. Kumar
P. Senthil Kumar
S. Jayanthi



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The Respective Parties shall absolutely enjoy the lands allotted to them without any interference / intervention by either of the Parties or their respective family members.

3. The joint Memo of Compromise has been executed by the Appellants and Respondents on their own free will and volition without any undue influence, misrepresentation or coercion and fully understanding the same the parties have affixed their signatures.

4. It is therefore prayed that the decree in terms of the Memo of Compromise may be passed and thus render justice.

Dated at Chennai on this the 29 day of December 2023.

1. Mr. பஞ்சவர்ணம்

2. மதுரையா

1. Counsel for Appellants

Counsel for Appellants

1. P. Leelitha

2. m. mohasani

3. P. Ravi

4. P. Senthil Kumar

5. S. Ravi

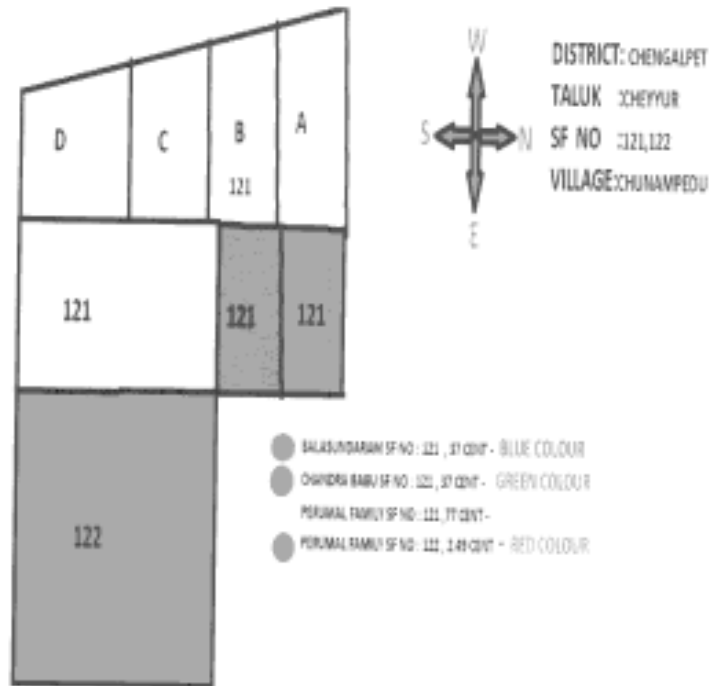
Counsel for Respondents



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ம.சுந்தரபாரதி
ம.சுந்தரபாரதி

P. Lakshmi
P. Maheswari
P. Raju
P. Sankar Kumar
S. K.



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5. I have gone through the compromise memo. I do not find anything irregular or illegal in the same. The memorandum of Compromise shall form part of the decree. The second appeal is disposed of in terms of compromise. No costs.

20.02.2024

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Index : Yes/No

Speaking order/Non-speaking order

Neutral Citation : Yes/No



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To

- 1.The Subordinate Judge, at Madurantakam
- 2.The District Munsif, Madurantakam.



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V.LAKSHMINARAYANAN, J.

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