



A.S.No.216 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.10.2024

CORAM

THE HON'BLE MR.JUSTICE RMT.TEEKAA RAMAN

A.S.No.216 of 2019

and

C.M.P.No.8241 of 2019

Sri Roopa Spinner Pvt. Ltd.,
A Private Limited Company,
Rep. by its Managing Director
Manoharan,
D. No.505, Palladam Road,
Tiruppur District.

... Appellant

Vs.

1. Narayanan
2. V.C. Rangasamy
3. Gurumurthy
4. N. Ramachandran
N.Mahendran (dead)
5. N. Marimuthu
6. Chinna Narayanan @ Rengasamy
7. N.Parvathy
8. M. Breeja
9. Minor Meyyappan
10. Minor M. Logesh

... Respondents

Appeal Suit is filed under Section 96 of the Civil Procedure Code



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read with Order 41, Rule 1 of Civil Procedure Code, to set aside the judgment and decree dated 15.11.2018 passed in O.S.No.234 of 2008 on the file of the V Additional District Court, Coimbatore.

For Appellant : Mr.K.Govi Ganesan

For R4 : Mr.P.Thangavel

For R5, R7 & R8 : Mr.N.Nithianandam

JUDGMENT

The learned counsel appearing for both sides would submit that the matter has been settled between the parties on 26.07.2024 before the District Mediation Centre at Coimbatore.

2. The Mediation Report has been received by this Court, which has been signed by the parties and attested by the respective counsels. The terms of settlement entered into between the parties, are as follows:

“This Appellant and the legal heirs of the 1st Respondent by name Tmt N. Parvathy (Respondent No: 8), N. Ramachandran (Respondent No; 4), and the deceased



Mahendran (Respondent No: 5) represented by his legal heirs by name Mrs. M. Breeja (Respondent No: 9), his minor Meyyappan (Respondent No:10) and his minor Logesh (Respondent No: 10), and these two minors represented by their mother by name M. Breeja and N. Marimuthu (Respondent No; 6) have only appeared before the mediation and they have voluntarily agreed to settle it amicably in the presence of a Mediator as follows:-

“1) These above-named respondents have voluntarily agreed to give up the peaceful possession and enjoyment of the already sold out the lands covers 3.39 acres in SF No: 56/4 vide this Appellant's Sale Deed No; 940 of 2007 dated 23-01-2007 to this Appellant and all of them agreed to make a partition upon it for this Appellant's peaceful possession and enjoyment without any single misunderstandings.

2. These above-named respondents have agreed to transfer its Patta, Chitta and Adangal for the above said sold out lands covers 3.39 acre only vide their absolute Sale Deed No: 940 of 2007 dated 23.01.2007 in the name of this appellant without any misunderstandings.

3. These above-named respondents have agreed to sell their respective joint undivided 1/3rd shares which



derived from the deceased Respondent No: 1 by name Narayanan in that SF 56/4 covers 1.69 acres to this Appellant to the tune of sale price of Rs.70,00,000/- (Rupees Seventy Lakhs only) in total vide Sale Agreement No.4782 of 2023 dated 06.03.2023 and in turn, these respondents have jointly received a total sum of RS 25,00,000/- (Rupees Twenty-five Lakhs) only already from this Appellant as an advance amount and during this mediation, both this Appellant as well as these above-named respondents have amicably agreed to execute a registered Sale Deed in favour of this Appellant within TWO MONTHS FROM THE DATE OF THIS MEDIATION, after collecting the balance of sale price of RS 45,00,000/- (Rupees Forty-five Lakhs only) from this Appellant and in turn, this Appellant have also agreed to pay their respective shares of this balance sale price of RS 45 lakhs in total to each and every respondents No; 4,6,8,9,10 and 11 respectively by way of Demand Draft within two months from the date of this mediation in order to collect the above said 1.69 acres in SF 56/4 from these respondents. These Respondents have jointly agreed to allot 1/5th share upon the said sale price to the legal heirs jointly of the deceased daughter of the deceased Respondent No: 1 who have not been added as a party to this case so far. These Respondents have strictly agreed to fix the date of execution within two months from this date of mediation only and it



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will not be extended at any point of time. The Respondent No: 2 and 3 are third parties to this deceased family and they are dead. The Respondent No; 7 who have already sold out his 1/3rd share of property to this appellant and he was dead.”

3. The above terms of settlement entered into between the parties are hereby recorded.

4. In view of the settlement arrived at between the parties, this Appeal Suit is disposed of as settled out of court. The terms of settlement 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 V Additional District Court, Coimbatore



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RMT.TEEKAA RAMAN, J.

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