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C.S.No.290 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :15.10.2024

CORAM:

THE HONOURABLE MR. JUSTICE RMT.TEEKAA RAMAN

C.S.No.290 of 2020

P.V.Raja Bhoopathy Pandian

.. Plaintiff

/versus/

1.R.Sekar

2.V.Mahesh

3.P.Ramesh

4.R.Alwar

5.M.Ramasamy

6.V.Gunasekaran

.. Defendants

This Civil Suit is filed under Order IV Rule 1 of the Original Side Rules read with Order VII Rule 1 of C.P.C, 1908, prayed for a judgment and decree against the Defendants:-

a).direct the defendants 1 and 2 to refund a sum of Rs.37,09,520/- together with interest on the advance amount of Rs.21,00,000/- at the rate of 15% per annum from the date of plaint till realization;

b).Declare that the sale deed dated 14.09.2015, registered as Document No.5508 of 2015 on the file of the Sub Registrar of



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Palayamkottai executed by the 2nd defendant in favour of the 3rd defendant is null and void and not binding on the plaintiff;

c). Declare that sale deed dated 05.04.2018, registered as Document No.3062 of 2018 in favour of the defendants 5 and 6 is null and void and not binding on the plaintiff.

(d). Grant permanent injunction restraining the defendants or their men, servants, agents or anyone acting on their behalf interfering with the peaceful possession and enjoyment of the plaintiff over the suit property morefully described in the schedule hereunder;

(e). direct the defendants to pay the costs of the suit.

For Plaintiff : Mr.A.V.Arun

Assisted by Mr.M.A.Aruneshe

For D4 to D6 : Mr.T.M.Pappiah

J U D G M E N T

The parties had entered into the compromise, and a joint compromise memo dated 25.09.2024 had been presented in Court. Before the mediation, the plaintiff and the defendants 4 to 6 have signed the joint memo of compromise along with respective counsels. The terms of the settlement arrived at in the joint memo of compromise shall form part of the decree.



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2.In view of the above observations, the suit is decreed in terms of the joint compromise memo. The joint compromise memo shall form part of the decree. The plaintiff is entitled for refund of court fee as per rules.

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Neutral citation : Yes / No

Index : Yes / No

Speaking order : Yes / No

Note: The Registry is directed to hand over all the original documents relating to the suit property including the original Sale Agreement dated 18.06.2015, Undertaking Letter dated 03.10.2017 and all original receipts relating to payment of any tax or charges in respect of the suit property to the 4th defendant.

Note: Issue order copy on 18.10.2024



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RMT.TEEKAA RAMAN,J.

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