



C.S.No.390 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.03.2024

CORAM

THE HON'BLE Mr.JUSTICE N. SATHISH KUMAR

C.S.No.390 of 2020

Mr.Singu R Mangaleshkar

... Plaintiff

Vs.

- 1.Mr.S.V.Ramamurthy
- 2.Mr.Bhupeshkar
- 3.The Sub Registrar
Office of S.R.O,
Velacherry,
Chennai 600 042.
- 4.The Sub Registrar,
Office of S.R.O,
Anna Nagar,
Chennai 600 107.
- 5.The Sub Registrar,
Office of S.R.O.
Purasaiwakkam,
Chennai 600 007.
- 6.The Sub Registrar,
Office of S.R.O.
Madhavaram,
Chennai.

... Defendants



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Prayer: The Civil Suit has been filed under Order IV Rule 1 of O.S.Rules R/w Order VII 1 & 2 of CPC praying for a Judgment and Decree against the defendants herein;

- (a) For directing the 1st Defendant and 2nd Defendant to effect partition and allot 1/3rd share in the Suit Schedule A mentioned properties and separate possession of the respective shares by metes and bounds to the plaintiff herein;
- (b) For directing the Plaintiff and 2nd Defendant to Effect partition and allot 1/2 share in the Suit Schedule B, C & D mentioned properties and separate possession of their respective shares by metes and bounds to the plaintiff herein;
- (c) For a permanent injunction restraining the defendants, their men, agents, subordinates, nominee or nominees etc., from alienating the Suit Schedule mentioned A, B, C & D properties, more fully described in the schedule herein;
- (d) For direction for appointment of the Receiver by this Hon'ble Court for Schedule A mentioned property to collect the rent on monthly basis and to deposit the same before this Hon'ble Court;
- (e) To pay the cost of this suit; and
- (f) To pass such further or other orders as this Hon'ble Court may deem fit and proper and thus render justice.

For Plaintiff	: Mr.R.Ramesh
For D1	: Mr.S.V.Ramamurthy
	Party-in-person
For D2	: Mrs.M.Durgadevi



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JUDGMENT

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A Joint Compromise Memo has been filed by the plaintiff and the defendants 1 and 2.

2.The plaintiff has appeared through virtual mode and his identity has been established by the learned counsel appearing for the plaintiff. Similarly, the second defendant appeared through virtual mode and his identity is established by the learned counsel for the second defendant and also by the first defendant. The plaintiff and the second defendant are the sons of the first defendant. The first defendant is the practising lawyer present before the Court. He has identified the presence of both the sons.

3.The parties agreed that as far as A schedule property is concerned, defendants 1 and 2 agree to relinquish their respective shares in favour of the plaintiff. As far as B and C schedule property, the plaintiff relinquishes his share in favour of defendants 1 and 2. As far as D schedule property, it is agreed between the parties that the plaintiff will be entitled to 5.4 cents and the first defendant will be entitled to 8.1 cents and the second defendant will be entitled to 19 cents. As far as movable properties, it is



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agreed by the parties that they will share the same equally. It is also agreed between the parties to execute the necessary documents. The plaintiff and the defendants have signed the document.

4.In view of the above, the suit itself is decreed and the final decree is passed in terms of the joint compromise memo filed by the parties herein. The parties shall deposit non-judicial stamp papers within a period of two (2) weeks for the purpose of engrossing the final decree in the non-judicial paper. The parties shall execute necessary document in the Registration Department in respect of relinquishing the shares.

5.In the above terms, the suit is decreed and the final decree is passed. No costs.

28.03.2024

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N. SATHISH KUMAR, J.

Tsg

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