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C.R.P. Nos. 3322 and 3175 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.08.2024

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THE HONOURABLE MR. JUSTICE V.LAKSHMINARAYANAN

C.R.P. Nos. 3322 and 3175 of 2024
and
C.M.P. Nos. 17796 and 16979 of 2024

In both C.R.P.s

A.Muralidharan ... Petitioner / Petitioner / Respondent

Vs.

Zaine Razana ... Respondent / Respondent / Petitioner

COMMON PRAYER: Civil Revision Petitions are filed under Article 227 of the Constitution of India, to set aside the orders dated 08.04.2024 passed in M.P. Nos. 4 and 5 of 2023 in R.L.T.O.P. No. 179 of 2021 by the XVI Small Causes Court at Chennai.

For Petitioner : Mr. L.Gavaskar
(in both C.R.P.s)

For Respondent : Ms. Meenakshi Devi
(in both C.R.P.s)



COMMON ORDER

WEB COPY The civil revision petitions came up for hearing on 19.08.2024, 21.08.2024 and before me on 22.08.2024.

2. It was represented by Mr. L.Gavaskar and Ms. Meenakshi Devi that there are possibilities of settlement.

3. Both sides would agreed today that the matter has been settled and the possession of the property has been handed over by the civil revision petitioner to the respondent. In proof of the said settlement, the common joint compromise memo has been filed before the Court.

4. I have gone through the compromise filed by the both parties. I do not find anything illegal or irregular in the same.

5. The memo of compromise is reproduced hereunder:-



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C.R.P. Nos. 3322 and 3175 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS
C.R.P.(NPD).NOs.3322 & 3175 OF 2024
AGAINST
M.P.NO. 4 & 5 OF 2023
IN
R.L.T.O.P.NO.179 OF 2021
(on the file of Hon'ble XVI Small Causes Court at Chennai)

Mr.A.Muralidharan
Son of Mr.E.Anbumani
Proprietor of M/S Murali Mess,
(Arusuval Unavagam)
Old Door No.4, New Door.No.7,
Neeli Veerasamy Street,
State Bank Road, Mount Road,
Chennai- 600 002.
Residing at Flat No.7, B-Block,
No.13 Avadi Srinivasan Street,
Choolai, Chennai- 600 112.

...Petitioner/Petitioner/Respondent

-Versus-

Mrs.Zaine Razana
Wife Of Hameed Noor
No.3/7, Kasa Major Road,
Jearald Garden, Egmore,
Chennai- 600 008
Rep by her so-called General power of Attorney Agent
Mr.D.Abdul Majeeth
Son of late S.Dasthageer,
K.M.S.Complex, Third Floor,
No.3 Welder Street, off Mount Road,
Chennai- 600 002.

... Respondent/Respondent/Petitioner

COMMON JOINT COMPROMISE MEMO FILED BY THE
PETITIONER AND RESPONDENT

The Petitioner and Respondent humbly state as follows:-

1. The Petitioner has filed above Civil Revision Petitions in C.R.P.No.3322 & 3175 of 2024 against the Respondent before this Hon'ble Court to set aside the order dated 08.04.2024 passed in M.P.No.4 & 5 of



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C.R.P. Nos. 3322 and 3175 of 2022

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2023 in R.L.T.O.P.No.179 of 2021 by the Hon'ble XVI Small Causes Court at Chennai and consequently to allow the above C.R.P. After filing the above C.R.P. the compromised arrived into between the Petitioner and Respondent following terms and conditions:

I) The Petitioner will hand over the vacant possession of the Premises (tenancy portion Viz.,) bearing Old Door No.4, New Door No.7, situated Neeli Veerasamy Street, State Bank Road, Mount Road, Chennai- 600 002 to the Respondent at the time of signing the Joint Compromise, along with key of the Petition Premises and the Petitioner hereby agrees to take over all his belongings in the petition premises at the time of signing this Joint compromise. The Respondent will take over the vacant possession of the Petition Premises from the Petitioner. The Petitioner has agreed that he shall not claim any tenancy right, possessory right or what so ever over and in respect of the Petition Premises at future.

II) The Respondent hereby states that there is an arrears of rent a sum of Rs.32,19,840/- (Thirty Two Lakhs Nineteen Thousands eight hundred and forty Rupees only) is due to the Respondent from the Petitioner and the Respondent hereby agreed and waived of all the arrears of rent to the Petitioner in respect of the Petition Premises. The Respondent herein shall not initiate/file a suit Applications or any other cases as against the Petitioner for claiming the arrears of rent at future.



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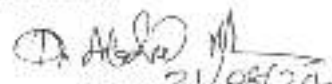
III) The Petitioner is agreed that he shall pay a sum of Rs.1,50,000/- (One Lakh Fifty Thousand) to the Respondent towards legal expenses of the Respondent on 27.08.2024.

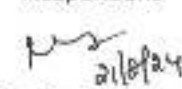
Hence under these circumstances it is prayed that this Hon'ble Court may be pleased to record this compromise memo in the above C.R.P. and dispose of the above C.R.P and thus render justice.

Dated at Chennai on this the 21st Day of August 2024.


Petitioner


Counsel for Petitioner


Respondent 21/08/24


Counsel for Respondent



C.R.P. Nos. 3322 and 3175 of 2024

6. The memo of compromise is directed to be made a part of the decree of this Court.

7. In the result, the civil revision petitions are disposed of in terms of compromise. No costs. Consequently, the connected miscellaneous petitions are closed.

28.08.2024

Index : Yes/No
Speaking order : Yes/No
NCC : Yes/No
pal

To

The XVI Small Causes Court at Chennai.



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V.LAKSHMINARAYANAN, J.,

pal

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28.08.2024