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CRP. PD. Nos.3854 & 3860 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:15.11.2024

CORAM:

THE HONOURABLE MR. JUSTICE P.B.BALAJI

CRP. PD. No.3854 & 3860 of 2022
and CMP. No.20258 of 2022

1.Smt.P.Bhuvaneswari
2.Smt.P.Shenbagavalli

... Petitioners in both CRPs

Vs

1. Mrs.D.Selvanayaki (Deceased)
2. Mr.P.Karthikeyan (Deceased)
3. Mrs.K.Grahalakshmi (Deceased)
4. Mr.K.Parthasarathy

... Respondents in both CRPs

COMMON PRAYER: The Civil Revision Petition filed under Section 115 of the Civil Procedure Code, to set aside the fair and decretal order dated 14.09.2022 dismissing I.A. No.13876 of 2014 in IA. No.17705 of 2012 in O.S. No.1638 of 2012 and allowing I.A. No. 10766 of 2014 in IA. No.17705 of 2012 in O.S. No.1638 of 2012, on the file of the III Additional City Civil Court, Chennai.

For Petitioners : Mrs.T.Jayalakshmi

For Respondents : Mr.R.Thiagarajan



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COMMON ORDER

The parties are present in person. After deliberations, the parties have agreed to the following terms of compromise:

(i) The first petitioner Smt.P.Bhuvaneswari, has offered to purchase the one third share of the second petitioner and the fourth respondent by paying them a sum of Rs.43,00,000/- and Rs.47,00,000/- respectively. Since the fourth respondent is in possession of the subject property, he seeks time to vacate and handover vacant possession to the first petitioner. The first petitioner also submits that she seeks sufficient time to mobilise funds to pay the second petitioner and the fourth respondent.

(ii) Considering the said request on either side, the fourth respondent has agreed to vacate and hand over vacant possession on or before 31.03.2025. The first petitioner shall release a sum of Rs.10,00,000/- on or before 31.12.2024 to the fourth respondent to enable the fourth respondent to shift to an alternate accommodation. The remaining sum of Rs.37,00,000/- shall be only paid only across the fourth respondent handing over vacant possession on or before and not later



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than 31.03.2025. Insofar as the amount of Rs.43,00,000/- to be paid to the second petitioner, the first petitioner shall pay the said sum on or before 31.03.2025.

(iii) The parties have also filed separate memos affirming the above terms. In view of the parties resolving all the disputes, a final decree shall be passed by the Trial Court in terms of the memo filed by the parties, allotting the suit property to the 1st petitioner. The said memos shall form part of this order.

2. With the above terms, this Civil Revision Petitions are disposed of. Consequently, connected Miscellaneous Petition is closed. No costs.

15.11.2024

Index:Yes/No

Speaking order/Non-speaking order
rkp

To

1. The III Additional City Civil Court, Chennai.
2. The Section Officer, VR Section,
Madras High Court, Chennai.



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P.B.BALAJI, J.

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