



CRP(MD).No.1623 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 24.07.2024

CORAM

**THE HONOURABLE MR JUSTICE D.BHARATHA
CHAKRAVARTHY**

C.R.P(MD)No.1623 of 2024

1.Somu Asari
2.A.Arunachala Asari
3.A.Murugan Asari
4.A.Mani Asari
5.K.Mariammal

... Petitioners

-Vs-

Rajathi

... Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, to struck off the plaint in O.S.No.41 of 2016 on the file of the District Munsif Court, Nilakkottai, Dindigul District.

For Petitioners : Mr.G.Karnan
For Respondent : Mr.K.P.Thiyagarajan

ORDER

Though this civil revision petition is filed with a prayer to strike off the plaint. When the matter came up for arguments, it was mentioned by



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the learned counsel for the petitioners that the parties have resolved the issue among themselves and even though a compromise memo was sought to be presented before the trial Court, the trial Court has not recorded the same.

2. On a perusal of the compromise memo, this Court suggested that the compromise memo was not signed on all pages and as also the 4 cents of property and 1 cent of property, which is sought to be given to the first defendant as well as to the fourth defendant, was not specifically earmarked in the said the compromise memo and this Court suggested that the compromise memo can be filed before this Court itself. The learned counsel, accordingly, sought for an adjournment.

3. When the matter came up today, Mr.G.Karnan, the learned counsel appearing on behalf of the petitioners/ defendants and Mr.K.P.Thiyagarajan, learned counsel appearing on behalf of the respondent/ plaintiff are present. Both sides learned counsel would submit that the matter has since been resolved between the parties in terms of the compromise memo. A joint compromise memo duly signed by all the



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parties and both sides counsel is filed before this Court. All the parties to the compromise are present before this Court. They are identified by their respective learned counsel. Their personal identity is verified with their identity documents such as Aadhar card.

4. Each of the parties were questioned by this Court. They had understood the terms of the compromise and categorically repeated what was due to them under the compromise memo. They reiterated that they have entered into the compromise voluntarility and consented for recording the compromise memo before the Court.

5. In view thereof, the present Civil Revision Petition and the suit in O.S.No.41 of 2016 pending on the file of the District Munsif Court, Nilakottai, Dindigul District are decreed on the said terms of compromise. The terms of compromise shall form part of the decree. Accordingly, the Civil Revision Petition is disposed of. No costs.

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Index : Yes / No
Internet : Yes/ No
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D.BHARATHA CHAKRAVARTHY, J.

Rmk

To

1.The District Munsif, Nilakkottai, Dindigul District.

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