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C.S.No.216 of.



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 10.07.2025

CORAM :

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

**C.S.No.216 of 2019 &
A 5731 of 2024, A 2020 of 2025 & A 1612/2024**

1.A.Meerabai

2.A.Venugopal

3.S.Padmini

4.A.Raghunath

... Plaintiffs

*1st Plaintiff is transposed as 3rd defendant as per order dated 11.09.2023
passed in Application No.4735 of 2023*

vs.

1.A.Gopalakrishnan

2.Indian Overseas Bank,

Rep., by its Manager,

Rangarajapuram Branch

No.2, Kripasankari Street,

West Mambalam, Chennai – 600 033.

3.A.Meerabai

... Defendants

Prayer : Civil Suit filed under Order IV Rule 1 of Madras High Court Original Side Rules read with Order VII Rule 1 of CPC to pray for judgment and decree against the defendant as follows:-

a) to declare 1/5th share each of the 1st to 4th plaintiffs in the



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property bearing Door No.25/14, Mahadevan Street, West Mambalam, Chennai – 600 033, more fully described in the Schedule hereunder by passing a preliminary decree to this effect.

b) directing the 1st defendant to clear the subsisting dues of the 2nd defendant and consequently directing the 2nd defendant to deposit title documents relating to the suit property in to this Court.

c) directing the 1st defendant to pay the costs of the Suit and

d) to pass such further or other reliefs.

For Plaintiff : Ms.R.V.Rukmani for

Ms.P.B.Ramanujam

For defendant : Mr.Avinash Wadhwani for D1 & D3

Mr.R.Ramesh for D2

J U D G M E N T

This present suit has been filed for partition of the Suit Scheduled properties.

2. When the matter is taken up for hearing, a Joint Memo of compromise is filed before this Court indicating that the parties have settled the dispute among themselves.



3. The parties are present before this Court and are being represented by their mother and are being identified by the learned counsels appearing for their respective parties. The third defendant appeared through video conferencing. The said Joint Memo of compromise has been acknowledged by the respective parties.

4. In view of the compromise that had been arrived at between the parties on the terms of the Joint Memo of compromise, the suit is disposed of as settled out of Court on the terms of the Joint Memo of compromise. The said terms of Joint Memo of compromise is also annexed to this judgment.

5. It has been brought to the notice of this Court that the second defendant had deposited the original title deeds relating to the suit schedule properties with the Registry. Hence, Registry is directed to return the original documents to the plaintiffs. Therefore, the Suit against the second defendant is not pressed.

6. The learned Advocate Commissioner has filed a memo seeking additional remuneration of Rs.35,000/-. Acceding to his request, the parties are directed to pay the additional remuneration of Rs.35,000/- to the learned



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Advocate Commissioner within a period of two (2) weeks from the date of receipt of a copy of this order.

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6.Registry is directed to refund the court fee to the plaintiffs applicable as per the Rules. However, there shall be no order as to costs. Consequently, connected miscellaneous applications are also closed.

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Index : Yes / No
Internet :Yes / No
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K.KUMARESH BABU.J.,

Gba

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