



S.A.No.519 of 2019

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.06.2025

CORAM

THE HONOURABLE MRS. JUSTICE K.GOVINDARAJAN THILAKAVADI

S.A.No.519 of 2019

and

C.M.P. No.7534 of 2019

S. Lawrance Arokia Raj

...Appellant

Vs.

1. S. Arokia Mary
2. S. Fathima Jospin
3. S. Gomsalaon Joseph Pathiraj
4. S. Helen
5. S. Pawlin Theresa
6. S. Margaret
7. S. Poondi Selvaraj
8. P. Irudayaraj

... Respondents

Prayer : Second Appeal filed under Section 100 of CPC, 1908 against the judgment and decree in A.S. No.172 of 2017, on the file of the VI Additional City Civil Court, Chennai dated 28.08.2018 confirming the judgment and decree passed in O.S. No.1278/2013 dated 27.04.2017, on the file of the VII Assistant City Civil Judge, Chennai.

For Appellant

: Mr. E.V. Arunachalagiri

For A. Edwin Prabakar



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For Respondents : Mr.V. Manisekaran for R1 to R7
Mr. S. Balasubramanian for R8

JUDGMENT

All the parties are present along with their respective counsel.

2. A joint Memo dated 24.06.2025 is filed by the learned counsel for the appellant and the respondents along with Compromise agreement and Memorandum of Understanding dated 23.06.2025 entered into between the parties. The terms of a compromise agreement were read over to the involved parties, and they accepted the same. The parties admit their signatures in the Compromise agreement. The said Compromise Agreement is recorded and scanned here under.



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तमिलनाडु TAMILNADU

23 JUN 2025

S Poondi Selvaraj
S. Lawrance Arokia Raj

ED 233454

D.GAUTHAMAN

STAMP VENDOR

No.1990/B4/CH(C)/2021
No.6, Mandabam Cross Street,
Chennai - 600 019.

COMPROMISE AGREEMENT AND MEMORANDUM OF UNDERSTANDING

THIS AGREEMENT of Compromise and memorandum of understanding is executed at Chennai on this 23rd day of June 2025 between 1. S,Arokia Mary, 2.S.Fathima Josephin, 3.S.Gonsalaon Joseph Fathiraj, 4. S.Helen, 5.S.Powlin Theresa, 6.S.Margaret, 7.S.Poondi Selvaraj, all are residing at No.357, Anna Salai, Sastri Nagar, Vyasarpadi, Chennai-600 039, the parties 2 to 6 are represented by their power Agents (1) S.Arokia Mary and (2) S.Poondi Selvaraj, S/o.Savarimuthu, herein after called THE PARTIES OF THE FIRST PART

AND

Mr.S.Lawrance Arokia Raj, S/o.Savarimuthu, residing at No.324/B, 11th Street, Sastri nagar, Chennai-600 039, herein after called THE PARTY OF THE SECOND PART

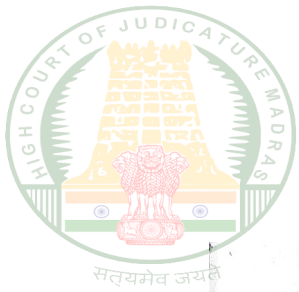
1 S. Arokiamary.

1

[Signature]

3 p. Sivaraj Raj

2 *[Signature]*



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P.Irudayaraj, S/o. Pitchaimuthu, residing at 520, 9th Street, Sastri nagar, Vyasarpadi, Chennai-600 039, THE PARTY OF THE THIRD PART

WHEREAS, the parties of the first part filed a suit against the party of second and third parts seeking to declare the sale deed dated 26.10.1998 executed by the party of third part in favour of the party of second part in OS.No.1278/2013 as null and void and the same was decreed on 27.04.2017 by the Hon'ble VIII Assistant City Civil Court at Chennai. Aggrieved by the same the party of second part filed an appeal in AS.No.172/2017 and the same was dismissed on 28.08.2018 by the Hon'ble VI Additional Judge, City Civil Court, Chennai. Aggrieved by the same the party of second part filed a second appeal before the Hon'ble High Court in SA.No.519/2019 and the same is pending before the Hon'ble High Court, Chennai.

WHEREAS, the parties of first part and the party of second party are family members. The party of third part is only a formal party and he is predecessor of the party of the second part. Now all the parties herein agreed to amicably settle the dispute between them on the following terms:

REGARDING CASES BETWEEN PARTIES

A. All the part of parties have agreed that the suit schedule property is comprised in Door No.357 & 357A, Anna Salai, Sastri Nagar, Vyasarpadi, Chennai-600 039 to an extent of 1526 sq.ft, in which the party of second part Mr.S.Lawrance Arokia Raj is entitled for 805 sq.ft of land and building constructed therein, more particularly comprised in Door No.357A, Anna Salai, Sastri Nagar, Vyasarpadi, Chennai-600 039 on the Eastern side of the suit

1 S. Arulkumar

2 [Signature]

3 P. Irudayaraj



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B. All the parties have agreed to file this compromise agreement and memorandum of understanding in the pending SA.No.519/2019 before the Hon'ble High Court, Chennai and get the compromise decree based on the compromise agreement and memorandum of understanding.

C. Further, it is agreed between the parties of First Part, party of Second part and the party of Third part that there are no other claims against each other and will not have future recourse over the suit schedule property.

D. The parties of the first part and party of third part have no objection to allow the second appeal and set aside the decree and judgment passed by the Trial Court and the First Appellate Court.

Dated at Chennai on this the 23rd day of June 2025

S. Ananthamany

1) Signature of the Parties of First Part,

2) Signature of Party of Second Part

3) Signature of Party of Third part

Witness

1. *S. Josphina Sagaya Reni*
D/o *Santhigayya*
No. 4A, Bhaviamman Str.
K. m. Nagar, Chennai - 118.
2. *S. Nallu (S. NALLU)*
W/o *S. Sengam*,
No. 909, 12th Cross Road
M. B. B. Nagar,
Vymapathy, Chennai - 38.



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3. In view of the above, the second appeal is decreed in terms of Compromise agreement and Memorandum of Understanding dated 23.06.2025. The Compromise agreement and Memorandum of Understanding shall form part of the decree in this second appeal. No costs. Consequently, connected miscellaneous petition is closed.

4. The Court fee shall be refunded to the appellant as per rules.

30.06.2025

Index: Yes/No
Internet: Yes/No
Speaking/Non-Speaking order
bga

To

1. VI Additional City Civil Court, Chennai
2. VII Assistant City Civil Judge, Chennai.
3. The Section Officer, VR Section, High Court, Madras.



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K.GOVINDARAJAN THILAKAVADI, J.

bga

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