



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2025

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THE HONOURABLE MRS.JUSTICE R. KALAIMATHI

CRP (PD) Nos.1179 & 1181 of 2023

and

CMP No.7221 of 2023

M/s.Arihant Panache Flat owners Association,

Represented by its Present Secretary,

Dr.Vivek

Arihant Panache, 478, Poonamallee High Road,

Arumbakkam, Chennai-600 106.

.... Petitioner

Vs

1.Parthasarathy

2.Nalini Devi

3.R.Rajendra Babu

(Cause list accepted vide Court order dated

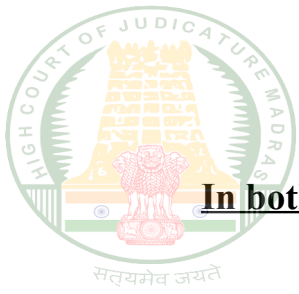
03.04.2023 made in C.M.P.NOs.7229 & 7221/2023

in C.R.P(SR)NO.38199 & 38200/2023

by TVTSJ)

... Respondents

Common Prayer: Civil Revision Petitions filed under Article 227 of the Constitution of India against the fair and decreetal order dated 06.03.2023 in I.A.Nos.9 & 10 of 2023 in O.S.NO.3588 of 2022 passed by the XXI Assistant Judge, City Civil Court, Chennai.



In both the petition

For Petitioner : Mr.T.Ayyasamy

For Respondents : Mr.T.R.Ramesh

COMMON ORDER

These Civil Revision Petitions have been filed as against the fair and decreetal order dated 06.03.2023 passed in I.A.Nos.9 & 10 of 2023 in O.S.NO.3588 of 2022 passed by the XXI Assistant Judge, City Civil Court, Chennai.

2. The learned counsel for the petitioner as well as the learned counsel for the respondents submitted that these matters have been settled before the Mediation and Conciliation Centre of this Court and accordingly, the parties have entered into a Settlement Agreement. The details of Settlement Agreement is as follows :-

Settlement Agreement

“This Settlement Agreement entered into on 9th December 2024.

Between

M/s.Arihant Panache Flat owners Association, Represented by



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its Secretary, Mr. Capt. Arul Lawrance, at Arihant Panache, 478, Poonamallee High Road, Arumbakkam, Chennai-600 106;

and

1. Mr. Parthasarathy, son of Mr. R. Rajendra Babu, A/35, Arcot Terrace, 160, NSK Road, Vadapalani, Chennai-600 026.

2. Mrs. Nalini Devi, wife of Mr. R. Rajendra Babu, A/35, Arcot Terrace, 160, NSK Road, Vadapalani, Chennai-60 026.

3. Mr. R. Rajendra Babu, son of Mr. Rangarajulu, A/35, Arcot Terrace, 160, NSK Road, Vadapalani, Chennai-600 026.

WHEREAS

1. Disputes and differences had arisen between the parties herein and the Plaintiff / Petitioner/Appellant viz. M/s. Arihant Panache Flat Owners Association have filed, against the Defendants/Respondents/Respondents viz. (1)

Mr. Parthasarathy, (2) Mrs. Nalini Devi & (3) Mr. Rajendra Babu, the following four cases pending in various courts viz.,

(a) O.S.NO.1560/2022 in V Assistant City Civil Court, Chennai;

(b) A.S.No.78/2022 in II Additional City Civil Court, Chennai;

(c) O.S.NO.3588/2022 in XXI Assistant City Civil Court, Chennai;

(d) CRP Nos.1179/2023 and 1181/2023 in Hon'ble Madras High Court.

2. The matter was referred to Mediation/Conciliation vide an order dated 06/09/2024 passed by her Lordship Mrs. Justice R. Kalaimathi of Hon'ble Madras High Court in CRP



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NOS.1179 and 1181/2023.

*3.The parties agreed that Mr.D.Palani would act as their
Meiator/Conciliator.*

*4.Several meetings were held during the process of
Mediation/Conciliation from 13/09/2024 to 04/12/2024 and
the parties herein have with the assistance of the
Mediator/Conciliator voluntarily arrived at an amicable
solution resolving the above mentioned disputes and
differences.*

*5.The parties confirm and declare that they have voluntarily
and out of their own free will arrived at this Settlement
Agreement in the presence of Mediator/Conciliator.*

*6.The following settlement has been arrived at between the
parties herein:-*

*A) (1) Mr.Parthasarathy, (2) Mrs.Nalini Devi & (3)
Mr.Rajendra Babu have paid a sum of Rs.14,00,000/- (Rupees
Fourteen Lakh only) by Demand Draft No.003979 dated
07/12/2024, issued by Bank of Baroda, Vadapalani Branch,
Chennai in favour of Arihant Panache Flat Owners
Association, as full and final settlement of all the disputes,
claims, including the entire maintenance charges from the
start to the period upto and including the month of November
2024 and pending cases between the parties. The said
Demand Draft is handed over to Mr.Capt.Arul Lawrance,
Secretary of M/s.Arihant Panache Flat Owners Association,*



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who acknowledged the receipt of the same.

B) M/s.Arihant Panache Flat Owners Association hereby confirm that they have no objection for completing the works as stated in the said defence/written statement in O.S.NO.1560/2022, and the said M/s.Arihant Panachee Flat Owners Association shall cooperate with (1) Mr.Parthasarathy, (2) Mrs.Nalini Devi & (3) Mr.Rajendra Babu to complete the pending works in their Flat Nos.201 and 202, as stated in the said defence/written statement in O.S.NO.1560/2022

C)M/s.Arihant Panache Flat Owners Association hereby withdraws all the cases pending in various courts as detailed below:-

- (i) O.S.NO.1560/2022 in V Assistant City Civil Court, Chennai;*
- (ii) A.S.No.78/2022 in II Additional City Civil Court, Chennai;*
- (iii)O.S.NO.3588/2022 in XXI Assistant City Civil Court, Chennai;*
- (iv) CRP Nos.1179/2023 and 1181/2023 in Hon'ble Madras High Court.*

D) (1) Mr.Parthasarathy, (2) Mrs.Nalini Devi & (3) Mr.Rajendra Babu shall pay the monthly maintenance charges applicable for his Flat No.201 and 202 from December 2024 onwards.

7.By signing this Agreement, the Parties hereto state that they



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have no further claims or demands against each other with respect to the following cases:-

- (i) O.S.NO.1560/2022 in V Assistant City Civil Court, Chennai;*
- (ii) A.S.No.78/2022 in II Additional City Civil Court, Chennai;*
- (iii) O.S.NO.3588/2022 in XXI Assistant City Civil Court, Chennai;*
- (iv) CRP Nos.1179/2023 and 1181/2023 in Hon'ble Madras High Court.*

and all disputes and differences in this regard have been amicably settled by the parties hereto through the process of Conciliation/Mediation.

Date 09/12/2024”

3. In terms of the settlement arrived at between the parties which is recorded under the mediation report dated 09.12.2024, these Civil Revision Petitions are disposed of as settled out of Court. Consequently, connected Miscellaneous Petition is closed. No costs.

05.02.2025

Speaking/Non-speaking order

Index : Yes/No

Internet : Yes/No

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To

The XXI Assistant Judge,
City Civil Court,
Chennai.



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R. KALAIMATHI, J.

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