



WEB COPY

CRP No. 3604 of 2016



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-06-2025

CORAM

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

CRP No. 3604 of 2016

and

CMP No. 18341 of 2016

1. P.Banumathy @ Kumadavalli

2.P.Thiagarajan

3.P.Elayarajakumar

4.P.Elavarasi

Petitioners

Vs

1. A.Duraivelu(died)

2.A.Anandavadivelu

3.R.Janathalakshmi(died)

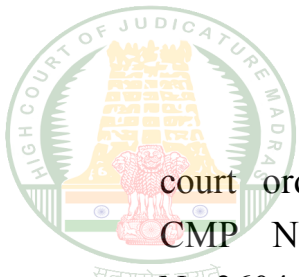
4.K.Usharani

5.D.Ganga Bai

6.Mrs.D.Selvi

7.D.Kalpana

(Respondent-1 Died. Respondents 5 to 7 brought on record as LRs of the deceased R-1 Viz.A.Duraivelu vide



court order dated.01/08/2023 made in
CMP No.16483 of 2021 in CRP
No.3604 of 2016 by VLNJ.)

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8.G.Radhakrishnan

9.R.Dheenadhalayan

10.R.Nirmala

11.R.Harikrishnan

12.R.Bhuvaneswari

(Respondents 8 to 12 impleaded vide
court order dated 21/08/2023 made in
CMP No.18706/2023 in
CRP(PD)No.3604 of 2016 by VLNJ.)

Respondents

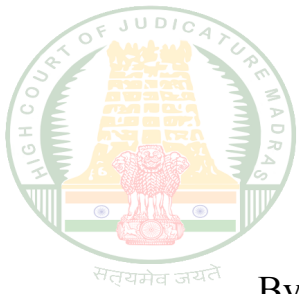
PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India seeking to set aside the impugned order dated 26.10.2016 passed in IA.No.308 of 2015 in OS.No.69 of 2010 on the file of District Court -II at Kancheepuram and dismiss the said IA.

For Petitioner : M/s.Ramalingam And Associates

For Respondents : Mr.N.Varadharajan

For R2, R4, R5 To R12

R1 & R3- Died (Steps Taken)



ORDER

By an order dated 21.08.2023, I had referred the parties to mediation.

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Even at that time, I recorded, out of 36 items of properties, with respect to 35 items there is no dispute, and it is only with respect to the house property that the parties had not been able to arrive at a settlement. Though the matter was mediated between the parties, settlement could not be arrived at.

2. Subsequently, on 24.08.2024, an agreement was entered into between the civil revision petitioners and the legal heirs of the first respondent / A.Duraivelu, the second respondent / A.Anandavadivelu and the fourth respondent / K.Usharani @ Usha. Of the legal representatives of the third respondent / Janathalakshmi, the respondents 8, 9, 10 and 12 have affixed their signatures on to the memorandum of compromise. The matter was adjourned by the Hon'ble Mr. Justice Battu Devanand to enable the recording of compromise. This order was passed on 11.06.2024 and 25.06.2024.

3. On 13.06.2025, when the matter was called, I recorded the fact that the



11th respondent is the legal representative of the deceased, third respondent/

R.Janathalakshmi and that since the other legal representatives, namely,

respondents 8 to 10 and 12 represent the estate of the late R.Janathalakshmi, it

is not necessary for the 11th respondent to join in the same. This is because, no

allegation of fraud or collusion has been made at the instance of the 11th

respondent as regards his other co-heirs. Unless and until fraud or collusion is

pleaded, an order passed against one legal representative is binding on the other

legal representatives also.

4. Today, all the four petitioners are present. The second and third respondents viz., A.Anandavadivelu and K.Usharani are present in court and D.Gangabai, who is the fifth respondent and R.Bhuvaneshwari, who is the 12 respondent are present through video conferencing.

5. All the parties stand by the settlement agreement arrived at on 24.08.2024. Mr.N.Varadharajan has already confirmed the receipt of the Demand Drafts on behalf of his clients. As all the parties have confirmed that



they are standing by compromise, they are entitled to encash the Demand Drafts that have been handed over by P.Elayarajakumar/third petitioner on 13.06.2025.

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6. The suit and the civil revision petition are disposed in terms of the compromise entered into between the parties. The learned Trial Judge is directed to record this order and grant a compromise decree in terms of the settlement agreement. As this Court has already called the parties and enquired them, he need not undertake the exercise of confirming the compromise all over again. The settlement agreement shall form part of the decree. No costs. Consequently, the connected miscellaneous petition is closed.

17-06-2025

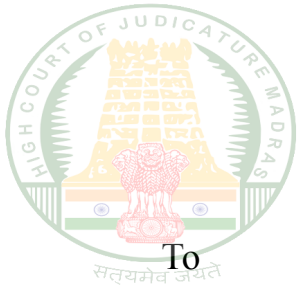
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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



CRP No. 3604 of 20



To

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1.The District Court -II at Kancheepuram



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CRP No. 3604 of 2016



V.LAKSHMINARAYANAN J.

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**CRP No. 3604 of 2016 and
CMP No. 18341 of 2016**



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06/17/2025