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C.S.No.179 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

C.S.No.179 of 2016

1.M.Manga Devi (deceased)
2.M.Buchi Prakash(deceased)
3.M.Ashok Prakash
4.Urmila Prakash
5.Malavika Prakash
6.Abimanyu Prakash
7.Kadambari Prakash
(Plaintiffs 4 to 7 are brought on
record as legal heirs of the deceased
2nd plaintiff vide order dated 15.02.2023
made in A.No.854 of 2023)

.. Plaintiffs

Vs.

V.R.Venkatachalam

.. Defendant

Prayer: Civil Suit filed under Order IV Rule 10 of O.S Rules read with Order VII Rule 1 of CPC, praying to pass a judgement and decree against the defendant:

a) for partition and separate possession by dividing the entire property morefully described in the schedule into two divisions as per the share of the plaintiffs and the defendant 50% each according to the right they possess



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C.S.No.179 of 2016

and enjoy based on the title and documents they possess and hold and to pass a preliminary decree for the respective shares of the plaintiffs and defendant after passing preliminary decree by appointing an Advocate Commissioner to divide the property by metes and bounds after demolishing the existing structures with the help of an Engineer by demarcating the respective areas of plaintiff and defendant and pass final decree for partition of the property and to obtain separate possession of the property of the plaintiff and defendant from the schedule mentioned property.

b) To grant a permanent injunction restraining the defendants, his servants, agents or any one acting under them in dealing with the suit schedule mentioned property in any manner by way of lease, release, enjoyment or any other mode of transfer of conveyance to any third parties.

c) To claim damages at the rate of Rs.1,00,000/- per month from the defendant commencing from November 2014 to till the property is divided by metes and bounds and obtain absolute separate possession of the property between the plaintiffs and the defendants.

d) for costs.



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C.S.No.179 of 2016

For Plaintiffs : Mr.P.Subba Reddy
for plaintiffs 1, 2, 4 to 7
Mr.A.Umasankar for P3

For Defendant : Mr.A.Jenasenan

JUDGMENT

When the matter came up for hearing today, the learned counsel for the plaintiffs and the learned counsel for the defendant have filed a memo dated 06.03.2025 stating that the matter has been settled out of court.

2. Recording the memo filed by the learned counsel on either side, this Civil Suit is dismissed as settled out of Court. No costs.

07.03.2025

Index: Yes/No
Speaking/Non-speaking Order
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C.S.No.179 of 2016

A.A.NAKKIRAN,J.
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