



WEB COPY



C.R.P.No.3991 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.01.2025

CORAM :

THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

C.R.P.No.3991 of 2024
and CMP.No.21918 of 2024

1.Susheela
2.Venkatesan
3.Elango

... Petitioners

Versus

1.Janagavalli
2.Shanmugam (Expired)

... Respondents

Prayer: Civil Revision Petition filed under Section 115 of Code of Civil Procedure, to set aside the fair and decretal order dated 12.07.2024 passed in I.A.No.1 of 2022 in unnumbered A.S.No. -- of 2022 and subsequently numberd as A.S.No.36 of 2024 by the Principal District Court at Villupuram as the same is against these petitioners.

For Petitioner : M/s.P.Kavitha Balakrishnan
For Respondents : Mr.A.Sundara Vadhanan for R1
R2 - Expired



C.R.P.No.3991 of 2024

ORDER

WEB COPY

This revision has been filed challenging the order of the first Appellate Court condoning the delay of 2685 days in filing appeal challenging the exparte decree passed in O.S.No.24 of 201 on the file of the Additional Sub Court, Villupuram.

2. When the matter was posted on 30.01.2025, parties appeared and on their request, the matter was referred to the Mediation, wherein, the matter has been settled and the parties entered into an agreement before the Mediator.

3. Mediation settlement agreement is placed before this Court. The following settlement has been arrived at between the parties:

- a. It is amicably settled between the petitioners 1-3 and 1st respondent with respect to the suit schedule property
- b. The 2nd respondent has expired on 02.05.2024 and the petitioners are the legal heirs of the 2nd respondent.



C.R.P.No.3991 of 2024

c. Both the petitioner and the 1st Respondent agree to sell the suit property admeasuring 3200 sq.ft., (32 feet X 100 feet) thereabout jointly and divided the proceed equally. The Petitioners shall jointly entitled to 50% and the 1st Respondent shall entitled to 50% in the schedule mentioned herein.

d. Both the parties agree to find a prospective buyer and execute the sale with the help of their respective lower court counsels.

e. Both the petitioners and the 1st Respondent agree that the Rs.15,000/- paid as cost in I.A.No.1/2022 in O.S.24/2013 shall be claimed and realized by the Petitioners.

f. Both the petitioners and the 1st Respondent agree that the 1st Respondent shall withdraw the Appeal in A.S.No.36 of 2024 pending before the Hon'ble Additional District Judge, Villupuram in the next hearing date i.e., 06.02.2025 in view of this agreement.

g. Both the parties hereby undertake not to file any complaint/suit/Petition in future against each other or their family members before any authority with respect to the suit schedule property.



C.R.P.No.3991 of 2024

4. The mediation settlement agreement is recorded. This revision stands disposed of in terms of the above mediation settlement agreement.

The first respondent is permitted to withdraw the appeal in A.S.No.36 of 2024 on the file of the learned Additional District Judge, Villupuram. Similarly, costs deposited by the first respondent can be withdrawn by the petitioner.

No costs. Consequently connected miscellaneous petition stands closed.

30.01.2025

dhk

Index : yes/no

Speaking order/Non-speaking order

Neutral Citation : yes/no

To

1. The Principal District Judge
Principal District Court, Villupuram



WEB COPY



C.R.P.No.3991 of 2024

N.SATHISH KUMAR, J.

dhk

C.R.P.No.3991 of 2024

30.01.2025