



A.S.No.673 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.06.2025

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

A.S.No.673 of 2025

and

C.M.P.Nos.13787 & 13790 of 2025

1.M.Vanaja

2.G.Murali

... Appellants

Vs.

1.Suresh Kumar

2.Mohammaed Sirajuddin

3.The Manager,
Allahabad Bank, CRBB,
Having office at
T.Nagar Branch,
Chennai – 600 017.

... Respondents

Prayer : Appeal Suit filed under Section 96 of the Code of Civil Procedure against the judgment and decree dated 22.07.2015 in O.S.No.7009 of 2012 on the file of the VI Additional City Civil Court, Chennai.

For Appellants : Mr.B.Arvind Srevatsa

For Respondents : Ms.G.Sumitra



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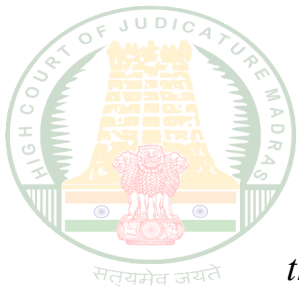
J U D G M E N T

This Appeal has been filed as against the judgment and decree dated 22.07.2015 in O.S.No.7009 of 2012 on the file of the VI Additional City Civil Court, Chennai.

2.When the matter was in SR Stage, this Court, by order dated 28.04.2025, in C.M.P.No.28641 of 2024 in A.S.SR.No.162828 of 2024, referred the matter for mediation. Thereafter, the Appeal has got numbered as A.S.No.673 of 2025. Meanwhile, the parties have settled the matter before the Mediation Centre and a Mediation Report is now filed before this Court.

3.It is seen that the parties have entered into a memorandum of joint compromise dated 11.04.2025. The parties have signed the memorandum of joint compromise in the presence of their respective counsel. The terms of the compromise read as follows :

(a) “The first respondent/plaintiff who had already deposited a sum of Rs.12,00,000/-, being the balance of the sale consideration as per the agreement dated 23.11.2009, as per



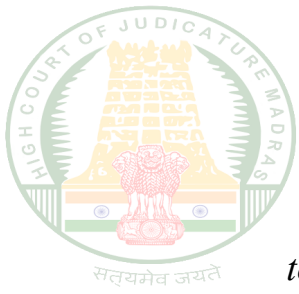
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the decree dated 22.07.2025 passed in O.S.No.7009 of 2012, on the file of the VI Additional Judge, City Civil Court, Chennai, do hereby agree for the Appellants herein, who are the defendants 2 and 3 in the suit in O.S.No.7009 of 2012, to withdraw the said amount of Rs.12,00,000/-together with accrued interest, if any, by filing necessary and appropriate application before the Trial Court.

(b) The Appellants/Defendants 2 and 3 do hereby agree to vacate and hand over the vacant possession of the suit property at Flat No. F-3, 1st Floor, "Diamond Royal Meladian", Door No.14, Second Street, Ram Nagar, Chennai 600 082, comprised in R.S.No.202, corresponding T.S.No.4/19, Block No.20 of Peravallore Village, Purasawalkam Perambur Taluk, Chennai District, measuring an undivided share of 435 sq.ft. out of 3640 sq.ft., of land and 750 sq.ft., of building inclusive of 100 sq.ft., of covered car park area within the limits of Greater Chennai Corporation, being the subject matter of the suit in O.S.No.7009 of 2012, on the file of the VI Additional Judge, City Civil Court, Chennai, which is now under their possession and enjoyment without insisting on any condition, within a period of 30 days from the date of execution of this Joint Compromise Memo.

(c) The first respondent/plaintiff upon the handing over of the vacant possession by the appellants/defendants 2 and 3, agrees



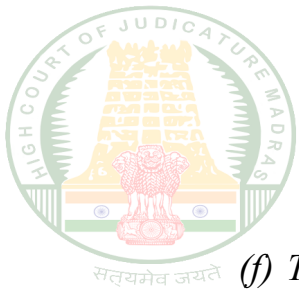
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to come forward and make necessary endorsement of "No Objection" In the event of the Appellants/Defendants 2 and 3 filing such a petition to withdraw the said sum of Rs.12,00,000/-, deposited by the first respondent/plaintiff lying in the account of O.S.No.7009 of 2012 on the file of the VI Additional Judge, City Civil Court, Chennai.

(d) The Appellants/Defendants 2 and 3, do hereby agree and affirm the right and title of the first respondent/plaintiff as owner of the property situated at Flat No. F-3, 1st Floor, "Diamond Royal Meladian", Door No.14, Second Street, Ram Nagar, Chennai 600 082, comprised in R.S.No.202, corresponding T.S.No.4/19, Block No.20 of Peravallore Village, Purasawalkam - Perambur Taluk, Chennai District, measuring an undivided share of 435 sq.ft. out of 3640 sq.ft., of land and 750 sq.ft., of building inclusive of 100 sq.ft., of covered car park area within the limits of Greater Chennai Corporation, being the subject matter of the suit in O.S.No.7009 of 2012, on the file of the VI Additional Judge, City Civil Court, Chennai.

(e) The Appellants/Defendants 2 and 3 do hereby confirm the rights, title and ownership of the first respondent/plaintiff accrued to him under the Sale Deed dated 05.07.2024, registered as Doc.No.2443/2024, on the file of the SRO, Sembium, executed in his favour by the IX Assistant Judge, City Civil Court, Chennai, in E.P.No.1511 of 2016.



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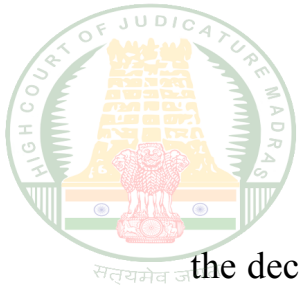
(f) The Appellants/Defendants 2 and 3 hereby undertake not to lay any claim of any nature against the suit property stated above in future.

(g) The Appellants/Defendants 2 and 3 hereby undertakes to indemnify the first respondent/plaintiff herein against any such claim by the 2nd respondent/1st defendant in respect of the above said sum of Rs.12,00,000/- agreed to be withdrawn by them by filing necessary appropriate application before the VI Additional Judge, City Civil Court, Chennai.

(h) The Appellants/Defendants 2 and 3 reserve their right to initiate appropriate proceedings as against the second respondent/1st defendant for recovery of balance consideration paid by the Appellants/Defendants 2 and 3 under the Sale Deed 30.06.2010, damages and other reliefs.”

4.Learned counsel on either side would submit that the Appeal may be disposed of in terms of the compromise entered into between the parties.

5.Accordingly, this Appeal is disposed of in terms of the memorandum of joint compromise, dated 11.06.2025, entered into by the parties. The terms of the compromise, dated 11.06.2025, shall form part of



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the decree. No costs. Consequently, connected miscellaneous petitions are closed.

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Internet : Yes

Index : Yes / No

Speaking order : Yes / No

Neutral Citation : Yes / No

To

1.The VI Additional Judge,
City Civil Court,
Allikulam, Chennai.

2.The Section Officer,
VR Section,
High Court, Madras.



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N. SATHISH KUMAR, J.

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