



S.A.No. 900 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.04.2026

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THE HON'BLE MR.JUSTICE R.SAKTHIVEL

Second Appeal No. 900 of 2015
and
Miscellaneous Petition No. 1 of 2015

Zahir Hussain
S/o.Bawaji Shahib Sunni Mohammed
Ambalavarkattalai Village
Nagamangalam Post
Udayarpalayam Tk
Ariyalur District.

.. Appellant/Appellant/Plaintiff

Versus

1.Lakshmi
W/o.Late.Murugaiyan
Ambalavarkattalai Village
Nagamangalam Post
Udayarpalayam Tk
Ariyalur District.

2.The Tahsildar
Udayarpalayam Tk
Ariyalur District.

.. Respondents/Respondents/Defendants



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Prayer: Second Appeal filed under Section 100 of the Code of Civil Procedure 1908, praying to set aside the Judgment and Decree dated February 9, 2015 made in A.S.No. 10 of 2014 passed by the learned Additional District and Sessions Judge & Chief Judicial Magistrate, Ariyalur, confirming the Judgment and Decree dated September 13, 2012 passed by the District Munsif, Jayankondam, made in O.S.No. 151 of 2006.

For Appellant : Mr.R.Thiagarajan

For Respondent-1 : Ms.Aiyshwarya

For M/s.Sarvabhauman Associates

JUDGMENT

Mr.R.Thiagarajan, Counsel on record for the Appellant and Ms.Aiyshwarya, representing M/s.Sarvabhauman Associates, Counsel on record for the Respondent No.1 are before this Court.

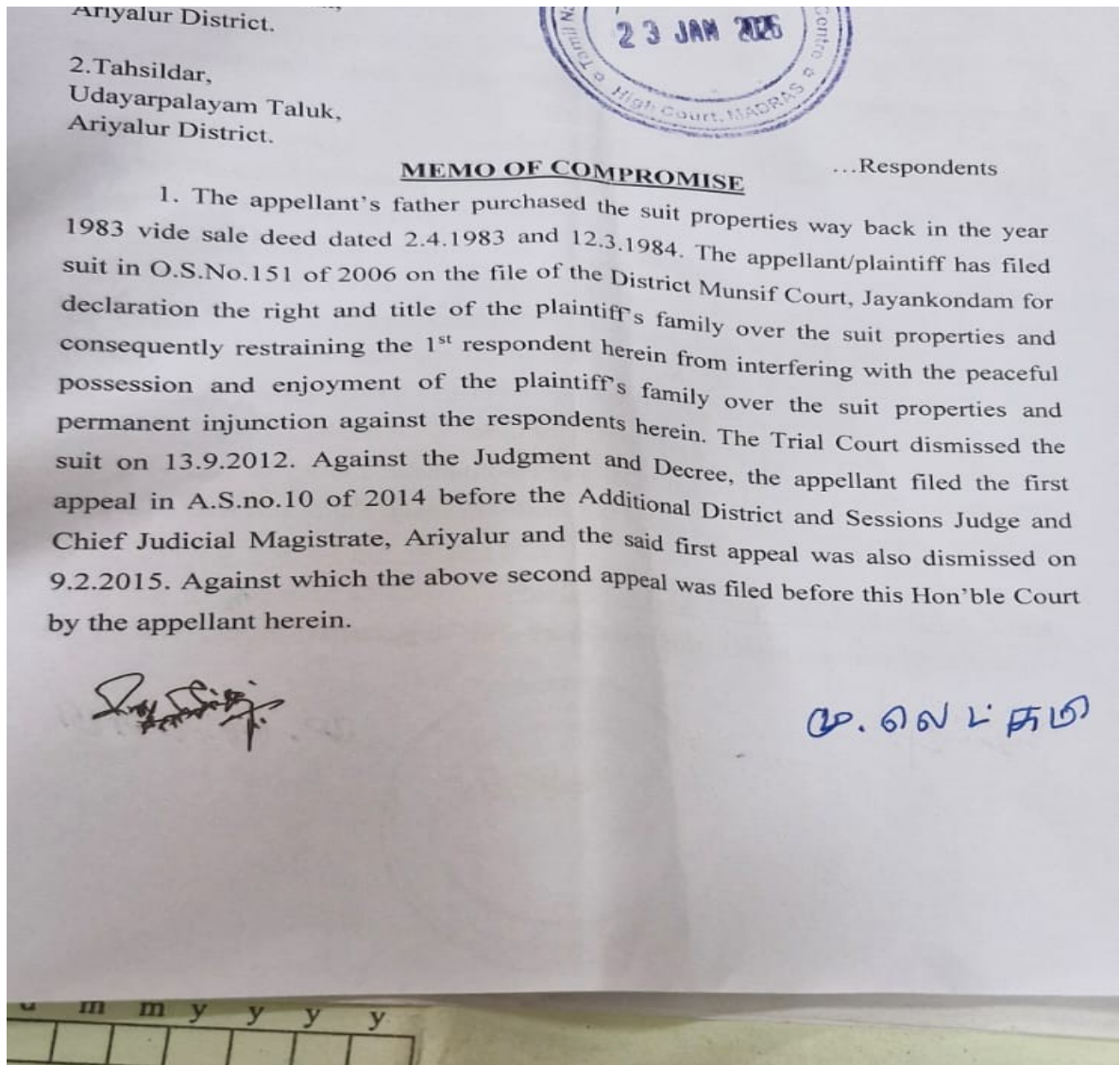
2.The Appellant and the Respondent No.1 are also before this Court and respective Counsels identified the parties.



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3.This Court has read over the Memo of Compromise dated January 19, 2026 entered into between the parties before the Mediation Centre attached to this Court, which is annexed in the case file. Scanned reproduction of the same is as follows:-





2. During the pendency of this second appeal, the appellant and 1st respondent herein have decided to settle the dispute amicably and hereafter the case was referred to Mediation by the Court on the request of both the Counsels and have now entered into this memorandum of Compromise.

3. The suit schedule consists of two items of properties.

As per Suit Schedule/Description of properties as contained in the plaint:

In Perambalur District in Ariyalur Regd.Distr.in Vikkaramangalam Sub-Regd in Udayarpalayam Tk.Iyyan Nanjai

Item - 1:S.F.No. 64/7C - 0.10.0 ares 0.28 kist

Item - 2:S.F.No.64/13J - 0.10.5 ares 0.33 kist

The detailed extent and boundaries of the above said two items of properties is given below:

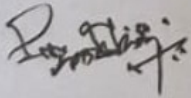
Item 1: S.F.No.64/7C 10.00 Ares = 25 Cents

Ariyalur Registration District, Udayarpalayam Sub-Registration Taluk, Within the limits of Ambabur Panchayat, T.Palur Union Village NO.61, Udayavar Theeyanur Revenue Village, Situated Ambalavar Kattalai village, Udayarpalayam Taluk, Ariyalur District. Comprised at Survey NO.64/7c = 10.00 ares = 0.25 cent, Measuring East-west: on the northern side: 34.80 metre (114.14 feet) on the southern side: 16.00 metre (52.48 Feet) South - North: on the Eastern side: 45.60 metre (149.56 Feet) on the Western side: 35.40 metre (116.11 Feet), having a total extent of 1028.70 sq metre (11066.90 sq feet) = 25.38 Cent.

Boundaries: To the east of Pichai Pillai and Habibunisha and to the west of Canal and to the north of Swaminathan and to the south of Bawaji Sahib and Kanthasamy

Item 2: S.F.No.64/13J 10.50 Ares = 26 Cents

Ariyalur Registration District, Udayarpalayam Sub-Registration Taluk, Within the



Dr. AN L. S. S. S.



limits of Ambabur Panchayat, T.Palur Union Village NO.61, Udayavar Theeyanur Revenue Village, Situated Ambalavar Kattalai village, Udayarpalayam Taluk, Ariyalur District. Comprised at Survey NO.64/13J = 10.50 ares = 0.26 cent, Measuring East-west: on the northern side: 29.00 metre (95.12 feet) on the southern side: 33.60 metre (110.20 Feet). South-North: on the Eastern side: 35.20 metre (115.45 Feet) on the Western side: 33.20 metre (108.89 Feet), having a total extent of 1070.46 sq metre (11515.37 sq feet)=26.41 Cent.

Boundaries: To the east of Shanmugam and to the west of Canal and to the north of Habibunisha and to the south of Canal.

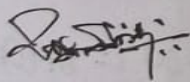
4. The compromise entered into between the appellant and the 1st respondent are as follow:

A) That the appellant herein restricts his right and claim over the above said properties to the extent mentioned below and for which the 1st respondent herein also has no objection. The Appellant and the 1 Respondent have mutually and amicably settled for the same.

B) That the appellant restricts his ownership right and possession over the suit property in SF no.64/7C to 16 cents instead of 25 cents (10 ares) as claimed in the plaint and in SF no.64/13J to 22 cents instead of 26 cents (10.5 ares) as claimed in the plaint and the revised detailed extent and boundaries of the two items of properties is given below:

Item – 1: S.F. No. 64/7C - 0.16 cents

Ariyalur Registration District, Udayarpalayam Sub-Registration Taluk, Within the limits of Ambabur Panchayat, T.Palur Union Village NO.61, Udayavar Theeyanur



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Revenue Village, Situated Ambalavar Kattalai village, Udayarpalayam Taluk, Ariyalur District. Comprised at Survey NO.64/7c = 6.50 ares = 0.16 cent, Measuring East-west: on the northern side: 34.80 metre (114.14 feet) on the southern side: 33.80 metre (110.86 Feet). South - North: on the Eastern side: 20.20 metre (66.25 Feet) on the Western side: 18.00 metre (59.04 Feet), having a total extent of 655.13 sq metre (7047.00 sq feet)=16.16 Cent.

Boundaries: To the east of Pichai Pillai and Habibunisha and to the west of Canal and to the north of Swaminathan and Ganesan and to the south of Bawaji Sahib and Kanthasamy

Item - 2: S.F.No.64/13J - 0.22 cents

Ariyalur Registration District, Udayarpalayam Sub-Registration Taluk, Within the limits of Ambabur Panchayat, T.Palur Union Village NO.61, Udayavar Theeyanur Revenue Village, Situated Ambalavar Kattalai village, Udayarpalayam Taluk, Ariyalur District. Comprised at Survey NO.64/13J=09.00 ares = 0.22 cent, Measuring East-west: on the northern side: 24.00 metre (78.72 feet) on the southern side: 28.60 metre (93.80 Feet). South -North: on the Eastern side: 35.20 metre (115.45 Feet) on the Western side: 33.20 metre (108.89 Feet), having a total extent of 899.46 sq metre (9675.78 sq feet) = 22.19 Cent.

Boundaries: To the east of Shanmugam and to the west of Canal and to the north of Habibunisha and to the south of Canal.

C) Further the Appellant has no objection to the title of the 1st respondent's Possession and enjoyment of the remaining 9 cents in the 1st item of the suit property situated in S.F No. 64/7C having the boundaries of

North by 64/7C
South by 64/2F1
East by 64/10 & 64/11A
West by 64/ 5A,5B & 5C

[Signature]

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And 4 lots in the 2nd Item of the Suit property situated in S.F. No. 64/7C having the boundaries of

North by 64/13 H
South by 64/17B
East by 64/13J (Part)
West by 64/13 I

5. The Compromise deed has been drafted under the instructions of the appellant and 1st Respondent and the compromise Deed has been read out and explained in Tamil.

It is therefore prayed that it may be pleased to consider and record the above factum of compromise entered into between the parties in the form of Memo of compromise and thus render justice.

Dated at Chennai on this the 19th day of January, 2026

APPELLANT

1st RESPONDENT

COUNSEL FOR THE
APPELLANT

COUNSEL FOR THE
1st RESPONDENT

R. THIYA LAKSHMI
Counsel for Appellant.

For Saswalbhauman Associates



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4.Both the parties have agreed the terms of Memo of Compromise.

Hence, this Second Appeal is disposed of in terms of Memo of Compromise dated January 19, 2026.

5. In view of the Memo of Compromise, this Second Appeal is disposed of. The Mediation Settlement i.e., (Memo of Compromise) dated January 19, 2026. shall form part of the decree. Considering the facts and circumstances of the case, there shall be no order as to costs. Consequently, connected M.P.No.1 of 2015 is closed.

10.04.2026

MSM

To

1.The Additional District and Sessions Judge &
Chief Judicial Magistrate, Ariyalur.

2.The District Munsif, Jayankondam.

3.The Section Officer, High Court, Madras.

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R. SAKTHIVEL, J

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