



WEB COPY



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.02.2026

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

**A.S.No.466 of 2023
&CMP.No.16462 of 2023**

1.Ramanujam
2.Ramkumar
3.Ashok Kumar

Appellant(s)

Vs

1.Gowri (Deceased)
2.Rani
3.Balambikai
4.Shanthi
5.Kanchana
6.Chandra
7.Alamelu Mangai
8.Lakshimi Narayan

Respondent(s)

[Respondents 6 to 8 bring on record as LR's of Gowri vide order dated 26.02.2026 in CMP.Nos.1487, 1495 & 1499 of 2026 in A.S.No.466 of 2023]

Prayer: Appeal Suit filed under Section 96 of CPC, to set aside the decree and judgment dated 20.02.2023 in O.S.No.83 of 2017 passed by the Principal District Judge, Villupuram.



For Appellant(s): Mrs.V.Saraswathi

For Respondent(s): Mr.R.Karunagaran for RR6 to 8
RR2 to 5 ex-parte

JUDGMENT

The parties have reached a settlement, which has been recorded by way of a Memorandum of Compromise, which has been signed by the appellants, as well as the respondents 6 to 8 and their respective counsel.

2.The respondents 2 to 5 remained ex-parte even before the trial Court.

3.The appeal is at the instance of the 1st defendant. However, pending the appeal, the appellants have settled the matter with the respondents 6 to 8, who are legal representatives of the plaintiff, who have now received a sum of Rs.6,00,000/-, which is confirmed in the compromise memo, in lieu of their share. Thus, the 1st appellant shall become entitled to an additional 1/6th share. In view of this compromise, the share of the 1st appellant shall be 2/6th (1/3rd). The parties to the said compromise memo have no objection for a preliminary decree being passed in favour of the appellants. The said compromise memo is recorded. The preliminary decree is passed, declaring the share of the 1st appellant as 2/6th (1/3rd).



4.The operative portion of the compromise decree in clause F is exhibited

hereunder:

“The appellants are entitled to 2/6 shares in the schedule property and a preliminary decree may be passed to that effect.”

5.In the light of the above, the Appeal Suit is allowed, declaring the 1st appellant's share as 2/6th (1/3rd) in the suit property. The said joint compromise memo shall form part and parcel of this decree. It shall be open to the 1st appellant to file a final decree application. There shall be no order as to costs. Connected Civil Miscellaneous Petition is closed.

26.02.2026

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P.B. BALAJI.J.
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To

The Principal District Judge, Villupuram.

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2/2