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Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-11-2026

CORAM

THE HON'BLE MR JUSTICE N. ANAND VENKATESH

Civil Revision Petition No.6741 of 2026
and
C.M.P.No.29021 of 2026

Case QR

CNR: {HCMA012053902026}

D.Myilsamy
S/o.Duraisamy

..Petitioner

Vs

1. Saraswathi
   W/o.Late.Chinnasamy @ Chinnapa Gounder

2. Duraisamy
   S/o.Late.Chinnasamy @ Chinnapa Gounder

..Respondents

Civil Revision Petition filed under Article 227 of the Constitution of India against the order dated 10.07.2026 passed in O.S.No.83 of 2026 on the file of learned Principal Subordinate Judge, Erode and direct to pass final orders in O.S.No.83 of 2026 by accepting the Settlement Agreement and Mediation Report dated 06.07.2026.

For Petitioner : Mr.N.Chinnu

For Respondents : Mr.K.R.Nishanth

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ORDER

This civil revision petition has been filed under Article 227 of the Constitution of India challenging the proceedings of the learned Principal Subordinate Judge, Erode, dated 10.07.2026 and for a direction to pass final

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orders in the suit by accepting the Settlement Agreement and Mediation Report dated 06.07.2026.

2. Heard learned counsel on either side and carefully perused the materials available on record.

3. The petitioner is the plaintiff, who filed the suit in O.S.No.83 of 2026 seeking the relief of partition. During the pendency of the suit, the parties were referred to Mediation Centre and the parties were able to arrive at a settlement by executing a Settlement Agreement. The Settlement Agreement along with the Mediation Report was placed before the Court below. The Court below, on 10.07.2026, disregarded the same on the ground that the mediation terms are not satisfied and directed the defendants to file written statement. Aggrieved by the same, the present revision has been filed.

4. In the considered view of this Court, if the parties have already arrived at a settlement and a Settlement Agreement has been placed before the Court below along with the Mediation Report, the Court below ought to have passed a decree based on the compromise arrived at between the parties. In a suit for partition, the Court below could have very well acted upon the agreement and disposed of the suit, instead, the defendants have been directed to file a written statement.

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5. Learned counsel appearing on behalf of respondents also confirmed the fact that there was a Settlement Agreement and the decree can be passed in the suit in terms of the Settlement Agreement.

6. In view of the above, there shall be a direction to the learned Principal Subordinate Judge, Erode, to pass decree in O.S.No.83 of 2026 in terms of the settlement arrived at between the parties within a period of two (2) weeks from the date of receipt of a copy of this order.

This civil revision petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

04-11-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
gm

To
The Principal Subordinate Judge,
Erode.

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N.ANAND VENKATESH, J.

gm

Civil Revision Petition No.6741 of 2026

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