

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 3006 OF 2010

P.T.SAMU FATHIMA NATCHI

...APPELLANT(S)

VERSUS

HAJA AFABI & ORS.

...RESPONDENT(S)

O R D E R

1. The appellant viz. P.T.Samu Fathima Natchi is present in Court and represented through her counsel, Mr. P.R. Kovilan, Mr. A.A.C. Nawaz Ahamed who is representing respondent nos 1 to 3 also present in Court and represented through the senior counsel Mr. A.N. Venugopala Gowda.

2. We have heard Mr. P.R. Kovilan, learned counsel appearing on behalf of the appellant as well as Mr.A.N.Venugopala Gowda, learned senior counsel appearing on behalf of Respondent Nos.1 to 3 and perused the judgment and other materials placed on record and the Memo of Compromise filed by the parties.

3. Respondent Nos. 4 and 5 being the defendant nos.1 and 2 entered into an agreement of sale with plaintiff no.1 on 12.05.1988 and 16.05.1988. Based on those agreements, plaintiffs/respondent nos.1 to 3 have filed the suit for specific performance viz. O.S. No. 137 of 1988. The said suit

was decreed by the Trial Court by its judgment dated 30.09.1994.

4. The appeal was filed by the appellant- P.T.Samu Fathima Natchi and other defendant nos. 1 and 2. The High Court affirmed the judgment and decree of the Trial Court for specific performance. Being aggrieved by the judgment of the High Court, defendant no.3 - P.T. Samu Fathima Natchi filed this appeal. The other defendants namely A.H. Sithi Hathi Mannisa and A.H. Sithi Jannathunnisa who were defendant nos. 1 and 2 are respondent nos. 4 and 5 herein.

5. The appellant- P.T.Samu Fathima Natchi and plaintiffs- respondent nos. 1 to 3 after negotiations have voluntarily and willingly compromised the matter and they have filed Joint Compromise Memo alongwith the sketch indicating the portion of the property (750 sq.ft - in yellow colour) which the appellant will be entitled to and the portion of the property to be registered in the name of respondent no.2 - Ithihadhul Ikhwanil Muslimeen (IIM). The appellant- P.T.Samu Fathima Natchi and Mr. A.A.C. Nawaz Ahamed who is representing respondent nos.1 to 3 have also affirmed that they have voluntarily and willingly compromised the matter.

6. The appeal is, accordingly, disposed of in terms of the Joint Compromise Memo.

7. The Joint Compromise Memo filed by the parties is taken on record and shall form the part of the order.

8. In terms of the Joint Compromise Memo, the decree passed in the suit stands modified and decreed accordingly. It is

made clear that the Joint Compromise Memo along with colour Sketch Map shall form the part of the decree.

.....J.  
[R. BANUMATHI]

NEW DELHI  
13TH MARCH, 2019

.....J.  
[R. SUBHASH REDDY]

ITEM NO.3

COURT NO.7

REVISED  
SECTION XIIS U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G SCivil Appeal No(s). 3006/2010

P.T.SAMU FATHIMA NATCHI

Appellant(s)

VERSUS

HAJA AFABI &amp; ORS.

Respondent(s)

Date : 13-03-2019 This appeal was called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE R. BANUMATHI  
HON'BLE MR. JUSTICE R. SUBHASH REDDYFor Appellant(s) Mr. P.R. Kovilan, Adv.  
Mrs. Geetha Kovilan, AOR  
Ms. Lakshmi K.G., Adv.For Respondent(s) Mr. A.N.Venugopala Gowda, Sr. Adv.  
Mr. Balaji Srinivasan, AOR  
Ms. Pallavi Sengupta, Adv.  
Ms. Lakshmi Rao, Adv.UPON hearing the counsel the Court made the following  
O R D E RThe appeal is disposed of in terms of the signed order.  
Pending application(s), if any, shall also stand disposed  
of.(MADHU BALA)  
COURT MASTER (SH)  
(Signed order is placed on the file)(PARVEEN KUMARI PASRICHA)  
BRANCH OFFICER

ITEM NO.3

COURT NO.7

SECTION XII

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s). 3006/2010

P.T.SAMU FATIHIMA NATCHI

Appellant(s)

VERSUS

HAJA AFABI &amp; ORS.

Respondent(s)

Date : 13-03-2019 This appeal was called on for hearing today.

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HON'BLE MR. JUSTICE R. SUBHASH REDDY

For Appellant(s) Mr. P.R. Kovilan, Adv.  
Mrs. Geetha Kovilan, AOR  
Ms. Lakshmi K.G., Adv.

For Respondent(s) Mr. A.N.Venugopala Gowda, Sr. Adv.  
Mr. Balaji Srinivasan, AOR  
Ms. Pallavi Sengupta, Adv.  
Ms. Lakshmi Rao, Adv.

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COURT MASTER (SH)  
(Signed order is placed on the file)

(PARVEEN KUMARI PASRICHA)  
BRANCH OFFICER