

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.09.2016

CORAM :

THE HONOURABLE MR.JUSTICE HULUVADI G. RAMESH
and
THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

Appeal Suit No.374 of 2015 and M.P. No. 1 of 2015
Against
O.S. No.89 of 2011

1. Kaaliyappa Kounder
2. Dhandapani
3. Gothandapani
4. MohanAppellants/Defendants

Vs.

1. Rajaraman
No.12/33, Thaymanavar Street
Villupuram Town.
Vasudevan (died)
2. Valli
3. Arivazhagan
2 & 3 are residing at No.30/25A
Thayumanavar Street
Villupuram Town
Villupuram District. ...Respondents/Plaintiffs

Appeal Suit filed under Section 96 of the Civil Procedure Code against the Judgment and preliminary decree dated 28.10.2014 passed in O.S. No. 89 of 2011 by the Principal District Judge, Villupuram.

For Appellants : Mr. P.G. Padmanabhan
For 1st Respondents : Mr. Chairman K. Selvaraj

ORDER

(Order of the Court was made by HULUVADI G. RAMESH,J.)

This Memorandum of First Appeal has been filed against the Judgment and preliminary decree dated 28.10.2014 passed in O.S. No. 89 of 2011 by the Principal District Judge, Villupuram.

2. The parties along with their counsel appeared before the Tamil Nadu Mediation and Conciliation Centre and have settled the matter. A copy of the Mediation Report, Mediation Agreement and the Memorandum executed by the parties on 22.02.2016, before the Tamil Nadu Mediation and Conciliation Centre, is produced before this Court, which reads as follows :

"Both sides, out of their own volition and without any pressure or coercion from any side have agreed as follows :

1. Appellants and Respondents partitioned the property through memorandum executed on 22.02.2016 (copy of which is enclosed) by conforming the partition and also effecting the delivery of possession as per the compromise.
2. Appellants also agreed to withdraw A.S. No. 374/2015 pending before the Hon'ble High Court after withdrawn of the same, the appellants have agreed to withdraw the O.S. No. 89/2011 pending before the Principal District Judge, Villupuram.
3. As agreed Appellants have received an amount of Rs.4,00,000/- (Rs.1,00,000/- by cash and Rs.3,00,000/- by cheque No. 121256 dated 22.02.2016) as full and final settlement.
4. Appellants and Respondents in view of the terms of partition and the amount received as final settlement, they agreed that they have no more agitating claims against each other and this agreement and the memorandum dated 22.02.2016 signed today by the parties are final".

The Mediation agreement and the Memorandum executed, dated 22.02.2016, shall form part of the records.

3. In view of the settlement between the parties, before the Tamil Nadu Mediation and Conciliation Centre, the Appeal is disposed of in terms of settlement. No costs. Consequently, the connected M.P is closed.

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Sd/-
Assistant Registrar(CS IV)

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Sub Assistant Registrar

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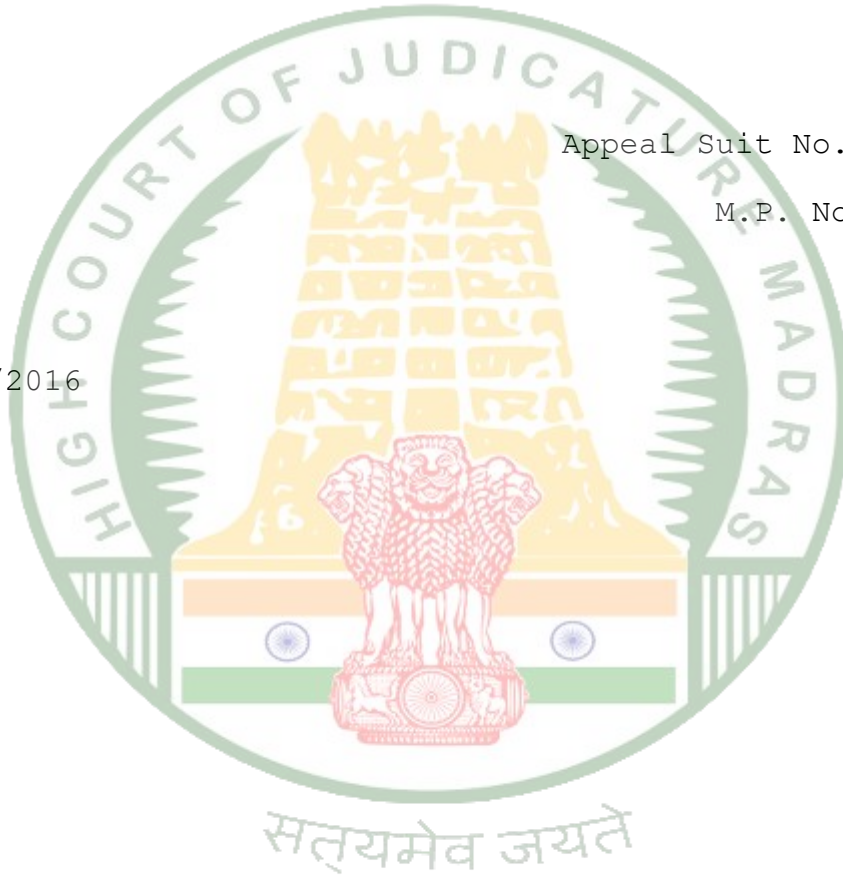
To

The Principal District Judge,
Villupuram.

+lcc to Mr.P.G.Padmanabhan, Advocate Sr.55789

Appeal Suit No.374 of 2015
and
M.P. No. 1 of 2015

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