

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

AND

THE HONOURABLE MR.P.KALAIYARASAN

A.S.No.966 of 2015

and

CMP.No.1997 of 2015

R.Ezhilarasi

... Defendant/Appellant

Vs.

M.Ramesh Kumar

... Plaintiff/Respondent

PRAYER: This appeal is filed under Section 96 of C.P.C. against the judgment and decree dated 01.07.2015 made in O.S.No.07 of 2012 on the file of the learned Principal District Judge, Vellore, Vellore District.

For Appellant : Mr.T.Dhanyakumar

For Respondent : Mr.J.Arunprasad

JUDGMENT

(Judgment of this Court was made by Hon'ble Mr. Justice K.K.SASIDHARAN)

The parties have settled the matter, through the Mediators of the Tamil Nadu Mediation and Conciliation Centre. The parties now seek an decree in terms of Memorandum of Compromise dated 18.10.2016, which reads thus:

1. The appellant (defendant) and the respondent (plaintiff) have amicably settled the dispute in the above appeal with the intervention of Mediators of the Tamil Nadu Mediation and Conciliation Centre, High Court Buildings, High Court, Chennai-600 104.

2. The appellant (defendant) has paid a sum of Rs.24,00,000/- by way of Demand Draft on 20.09.2016 as per the settlement referred to in clause (2) above. The balance sum of Rs.17,00,000/-shall be paid to the respondent (plaintiff) on or before 18.10.2016.

3. The balance amount of Rs.17,00,000/- was paid by way of Demand Drafts bearing No.142796 dated 15.10.2016 for Rs.11,00,000/- drawn on City Union Bank Ltd., Gudiyattam; No.23512615 dated 15.10.2016 for Rs.4,00,000/- drawn on Federal Bank, Gudiyattam and No.23512614 dated 15.10.2016 for Rs.2,00,000/- drawn on Federal Bank, Gudiyattam.

5. In view of the payments referred to above the appellant (defendant) and the respondent (plaintiff) pray that the above appeal may be allowed and the judgment and decree dated 01.07.2015 made in O.S.No.7 of 2012 on the file of the Principal District Court, Vellore, Vellore District may be set aside and the suit in O.S.No.7 of 2012 may be dismissed.

6. There is no cost in the above appeal and in the suit.

7. In view of the settlement reached between the parties before the Mediators of the Tamil Nadu Mediation and Conciliation Centre, High Court Buildings, High Court, Chennai-600 104, the Court fee paid in the above appeal may be refunded to the appellant (defendant)."

2. There shall be a decree in terms of the Memorandum of Compromise dated 18.10.2016. The Memorandum of compromise shall form part of the decree. The petitioner is entitled for the refund of Court fee as per rules.

WEB COPY
Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

arr

To

1. The Principal District Judge, Vellore, Vellore District.

2. The Section Officer, Vr Section, High Court, Madras. 104

+ 1 cc to Mr.T.Dhanyakumar, Advocate SR.64771

A.S.No.966 of 2015

NM(CO)
Eu 23.12.16



WEB COPY