

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 29.01.2016

CORAM:

THE HON'BLE MR. JUSTICE M.DURAI SWAMY

A.S.No.840 of 2010

1.Revathy
2.Minor Ranjani
Rep. By guardian and mother
Revathy .. Appellants/Defendants 1&2

v.

1.Selvambal
2.Uthirambal
3.Padmajothi
4.Kanagambal
5.Jagadambal .. Respondents/Plaintiff &
Defendants 3 to 6.

APPEAL filed under Section 96 of CPC to set aside the judgment and decree dated 17.12.2009 made in O.S.No.62 of 2007 on the file of the Additional District Judge (Fast Track Court No.II), Salem.

For Appellants : Mr.D.Shivakumaran

For Respondents : Ms.R.Meenal - for R1
Ms.G.Indira - for R2 to R5

J U D G M E N T

Learned counsel on either side submitted that the parties had settled the matter out of court and therefore, there is no necessity for prosecuting the above appeal, which arises against the preliminary decree passed in O.S.No.62 of 2007 on the file of the Additional District Judge (Fast Track Court No.II), Salem.

2.Mr.D.Shivakumaran, learned counsel appearing for the appellants also produced xerox copy of the memorandum of

compromise entered into between the parties.

3. It is also brought to the notice of this court that pursuant to the preliminary decree passed in O.S.No.62 of 2007, the plaintiff has filed final decree application in I.A.No.119 of 2011 in O.S.No.62 of 2007 on the file of Additional District Judge (Fast Track Court No.II), Salem. Further, it is brought to the notice of this court that the parties had filed an application seeking for amendment of the final decree application, which was also allowed by the Trial Court. However, since the original records have come to this court, the Trial Court had not carried out the amendment in the final decree application.

4. In view of the submissions made by the learned counsel on either side and also the endorsement made by the respective counsels, the above appeal stands closed. On receipt of the original records, the Additional District Judge (Fast Track Court No.II), Salem shall carry out the amendment in the final decree application and also record the compromise entered into between the parties. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

Rj

To

1. The Additional District Judge
Fast Track Court No.II,
Salem.

2. The Section Officer,
VR Section, High Court, Madras.

+1 cc to Mr.D.Shivakumaran, Advocate, sr.5986
+1 cc to Ms.R.Meenal, Advocate, sr.6057

A.S.No.840 of 2010

tej co
kra 16.02.2016