



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Wednesday, the Twenty First day of December Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice M.DURAI SWAMY

CMP(MD) Nos.11608 of 2016 and 11683 of 2016
IN
SA(MD) No.SR46217 of 2016

RAJA,

... PETITIONER/PETITIONER/
APPELLANT.

Vs

MARIMUTHU

... RESPONDENT/RESPONDENT/
RESPONDENT.

Prayer in CMP(MD) No.11608 of 2016:- Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to condone the delay of 603 days in filing the above Second Appeal.

Prayer in CMP(MD) No.11683 of 2016

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to grant an order of Interim Stay of operation of the decree and judgment passed in A.S.No.83 of 2014 dated 19.12.2014 on the file of Honourable Sub-Court Melur by confirming the judgment and decree passed in O.S.No.69 of 2013 and 01.04.2014 on the file of the District Munsif Court, pending disposal of the above condone delay application in C.M.P(MD)No.11608 of 2016 in S.A(MD)SR.No.46217 of 2016.

Prayer in SA(MD) No.SR46217 of 2016:

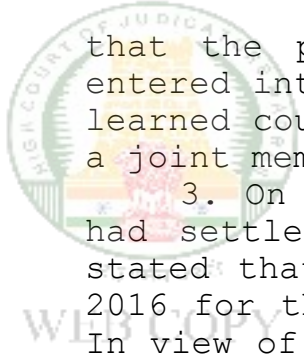
Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to set aside the judgment and decree dated 19.12.2014 in A.S.No.83 of 2014 on the file of the Hon'ble Sub-Court, Melur confirming the judgment in O.S.No. 69 of 2013 on the file of Hon'ble District Munsif Court, Melur by allowing this Second Appeal.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.C.JEGANATHAN, Advocate for the petitioner and M/S.PTS.NARENDRAVASAN, Advocate for the respondents the court made the following order:-

<https://hcservices.ecourts.gov.in/hcservices/>

Heard both sides.

2. The learned counsel appearing on either side submitted



that the parties have settled the matter out of Court and also entered into a joint memorandum of compromise dated 18.12.2016. The learned counsel appearing for the petitioner/appellant also produced a joint memorandum of compromise dated 18.12.2016 before this Court.

3. On a perusal of the same, it could be seen that the parties had settled the matter out of Court and the petitioner has also stated that he has not pressed the petition in CMP(MD)No.11608 of 2016 for the reason that the matter has been settled out of Court. In view of the joint memorandum of compromise filed by the parties, the petition in CMP(MD)No.11608 of 2016 stands dismissed as not pressed. The Joint memorandum of compromise dated 18.12.2016 is taken on record and shall form part of record. Consequently, CMP (MD)No.11683 of 2016 and SA(MD)No.46217 of 2016 shall stand rejected.

sd/-

21/12/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE SUBORDINATE JUDGE, MELUR.

2 THE DISTRICT MUNSIF, MELUR.

+1 CC TO M/S.C.JEGANATHAN, ADVOCATE IN SR.NO.82740

CSL/MPA-EM/27.12.2016: 2P/4C

ORDER
IN
CMP (MD) Nos.11608 and 11683 of 2016
IN
SA(MD) No.SR46217 of 2016
Date :21/12/2016