



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

Thursday, the Twenty Ninth day of September Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice S.S.SUNDAR

SA(MD) No.60 of 2016

Rajeswari : Appellant/ Appellant/Plaintiff

Vs.

Rajaram :Respondent/Respondent/Defendant

Prayer: - Second Appeal is filed under Section 100 of Code of Civil Procedure, 1908, to set aside the judgment and decree dated 28.11.2014 made in A.S.No.81 of 2013, on the file of the First Additional sub-Court, Nagercoil, confirming the judgment and decree dated 23.07.2013 made in O.S.No.94 of 2003 before the First Additional District Munsif, Nagercoil.

DECREE : This Second Appeal coming on for hearing on this day, upon hearing the arguments of Mr.C.Sankar Prakash, Advocate for the Appellant and Mr.N.Dilip Kumar, Advocate for the respondent herein and both parties having settled their differences and entered into a compromise between themselves and through their respective counsels and having filed the memo of compromise dated 29.09.2016, duly signed by the parties as well as their Advocate and upon perusing the grounds of Appeal, Judgment and decrees of both the Courts below and the records relating to the case and the memo of compromise, this Court, while recording the said memo of Compromise, the original which is annexed herewith, doth order and decree as follows:-

1) that the Appellant/Appellant/Plaintiff and the Respondent/Respondent/Defendant be and hereby are agreed to partition the suit property as shown in the sketch annexed herewith;

2) that the entire suit property admeasuring 8.45 cents in Survey No.224/6 & Survey No.224/5 was partitioned in to three portions. The 1st Portion "ABCD" shown in the sketch Ad measuring 1.7 cents situated in the northern portion i.e., 1/5th Share was allotted to the Appellant and remaining 4/5th share of the respondent in 2nd and 3rd portion "CDEF" and "GHIJ" shown in the sketch was allotted to the respondent.

3) that both the parties be and hereby are agreed to not to claim any interest or right over or make any encumbrances on the allotted portion by either of them in further.



4. that the appellant be and hereby is permitted to seek refund of court fee as permissible in law.

sd/-

29/09/2016

/ TRUE COPY /

WEB COPY

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

To

1.The First Additional subordinate Judge,
Nagercoil.

2.The First Additional District Munsif,
Nagercoil.

+1CC to Mr.C.Shankar Prakash, Advocate Sr.No57312

Copy TO : The Section Officer, V.R.Secgition,
Madurai Bench of Madras High Court, Madurai.

GJM/CK/29.11.16-2p-5C

Dated : 29.09/2016

DECREE

IN

SA(MD) No.60 of 2016

Nature of DECREE : Disposing the Second Appeal preferred against the judgment and decree passed by the I Additional Subordinate Judge, Nagercoil made in A.S.No.81/2013 dated 28.11.2014 as per the terms of Compromise dated 29.09.2016 and etc., as stated within.