



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.04.2016

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

S.A.(MD)No.181 of 2013

Smt.Mohamed Ummal

... Appellant/Appellant/
Respondent/Defendant

Vs.

1.A.Mohammed Mydeen
2.Smt.Shareefa Beevi

... Respondents/Respondents/
Petitioners/Plaintiffs

Appeal filed under Section 100 of the Civil Procedure Code, against the judgment and decree dated 12.10.2012 made in A.S.No.16 of 2012 on the file of the Principal Subordinate Judge, Nagercoil, confirming the judgment and decree dated 22.02.2011 made in I.A.No.150 of 2009 in O.S.No.298 of 2005, on the file of the II Additional District Munsif, Nagercoil.

For Appellant : Mr.M.Suri

For Respondents : Mr.Babu Rajendran

JUDGMENT

This second appeal has been filed against the judgment and decree dated 12.10.2012 made in A.S.No.16 of 2012 on the file of the Principal Subordinate Judge, Nagercoil, confirming the judgment and decree dated 22.02.2011 made in I.A.No.150 of 2009 in O.S.No.298 of 2005, on the file of the II Additional District Munsif, Nagercoil.

2.When this Second Appeal was taken up, the learned counsel appearing for both sides, submitted a joint memo of compromise dated 25.04.2016 duly signed by the parties as well as their respective counsel, and stated that the matter has been compromised between the parties.

3.The terms of the said Joint Memo of Compromise reads as under:

"1.That the appellant and respondents have agreed to divide the property scheduled in the above appeal in terms of the share allotted to them in the original decree in O.S.No.298/2005 on the file of the II Additional District Munsif Court, Nagercoil.



2. That the parties in the above appeal have amicably settled the division of the schedule property in terms of the decree in O.S.No.298/2005.

3. That along with this joint memo the parties to the appeal have filed plan showing the area they have proposed to take absolutely without any reservation or restriction.

4. The plan showing Green coloured portion admeasures an area of 1.365 cents shall go to the appellant and the plan showing yellow coloured portion admeasures an area of 4.095 cents shall go to the respondents.

5. That both parties have mutually agreed to division of the schedule property as shown in the plan appended to this joint memo."

4. The above Joint Memo of Compromise dated 25.04.2016 is recorded. The Joint Memo of Compromise shall form part the judgment and decree and the Second Appeal is disposed of in terms of the Joint Memo of Compromise. No costs.

Sd/-

Assistant Registrar(T&P)

/True copy/

Sub Assistant Registrar

To

1. The Principal Subordinate Judge,
Nagercoil.

2. The II Additional District Munsif,
Nagercoil.

+1cc to M/s.M.Suri, Advocate SR.No.23497

sm:NGM-MP:SAR II:02.06.2016:2P/4C

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25.04.2016