

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.04.2017

CORAM:

THE HONOURABLE MR.JUSTICE NOOTY.RAMAMOHANA RAO
and

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

O.S.A.No.93 of 2015 and
M.P.No.1 of 2015

M.Rukkaiya Banu

...Appellant

/versus/

V.M.Damayanthi

...Respondent

Prayer: Original Side Appeal filed Under Order XXXVI Rule 1 of O.S. Rules
r/w Clause 15 of Letters Patents Act, to set aside the Judgment and Decree
dated 17.12.2014 passed in C.S.No.567 of 2009.

For Appellant : Mr.S.Gunaseelan

For Respondent : Mr.S.S.Sivaraman

J U D G M E N T**NOOTY.RAMAMOZHANA RAO,J.**

Today, the learned counsel for the appellant has drawn a Demand Draft bearing No.366950 dated 03.04.2017, for a sum of Rs.4,00,000/- (Rupees Four Lakhs only) in favour of Rukkaiya Banu, the appellant, on Bank of India, K.K.Nagar Branch, Chennai-600 078, and it has been handed over to the learned counsel for the appellant in Court. It is also apt to recall that the learned counsel for the respondent has already handed over two Demand Drafts, one bearing No.363805, drawn on Bank of India, K.K.Nagar in a sum of Rs.9,00,000/- (Rupees Nine Lakhs only) and another bearing No.363804, drawn in a sum of Rs.3,00,000/- (Rupees Three lakhs only) to the learned counsel for the appellant. Therefore, in terms of mutual settlement, the appellant has received a sum of Rs.16,00,000/- (Rupees Sixteen Lakhs only), out of Rs.17,00,000/- (Rupees Seventeen Lakhs only), paid as advance.

2. Both, the appellant and the respondent were also present in the Court. The learned counsel representing them have also filed a Joint Memo into the Court, by stating that the issue has been amicably settled among

the parties. The said Memo is taken on record.

3. We are very happy to record the conduct of both sides, who have paid appropriate heed to our advise to settle the problems amicably outside the Court. We also complement the learned counsel on both sides, who have played a very proactive role in convincing the respective clients about the effectiveness of securing an out of Court Settlement.

4. Recording our sincere appreciation for the conduct of both sides, we dispose of the Appeal in O.S.A.No.93 of 2015, in terms of mutual settlement, as mentioned above. No costs. Consequently, the connected Miscellaneous Petition is closed.

(N.R.R.J.,) (S.M.S.J.,)
05.04.2017

Index:Yes/No
Internet:Yes/No
rna/rpa

NOOTY.RAMAMOohana RAO,J.

and

S.M.SUBRAMANIAM,J.

rna

Judgment in
O.S.A.No.93 of 2015

05.04.2017

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