



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.02.2017

CORAM:

THE HONOURABLE MS.JUSTICE V.M. VELUMANI

CRP(MD) Nos. 1092, 2235, 2236 & 2272 of 2016

CMP(MD).Nos.5507, 6862 and 6945 of 2016 in CRP(MD).No.1092/2016
and CMP(MD).Nos.10356 and 10357 of 2016 in CRP(MD).Nos.2235 and
2236 of 2016

P.Gomathi.

....Petitioner/Claimant/
3rd Party in all C.R.P.s

Vs.

1. K. Somasundaram.

...1st Respondent/1st Respondent/
Petitioner/Plaintiff

2.J. Rajkumar.

...2nd Respondent/2nd Respondent/
Respondent/Defendant in all CRP's

Prayer in C.R.P(MD) No.1092, and 2236 of 2016: These Civil Revision Petitions are filed under Section 115 of the C.P.C. praying to allow the C.R.P. With costs by setting aside the Order dated 14.03.2016 passed in the order E.A. Nos.11 and 12 of 2016 in E.A. No.32 of 2015 in E.P. No.3 of 2008 respectively in O.S. No. 13 of 2008 on the file of 1st Additional District Judge, Madurai.

Prayer in C.R.P(MD) No.2272 of 2016: This Civil Revision Petition is filed under Article 227 of the Constitution of India praying to allow the C.R.P. With costs by setting aside the Judgment and decree dated 12.03.2008 in O.S. No.13 of 2008 on the file of 1st Additional District Judge, Madurai.

Prayer in C.R.P(MD) No.2235 of 2016: This Civil Revision Petition is filed under Section 115 of C.P.C. praying against the Order dated 14.03.2016 passed in E.A.No.32/2015 in E.P.No.3/2008 in O.S.No.13 of 2008 on the file of the 1st Additional District Judge, Madurai.

For the Petitioners in all CRPs

:M/s. S. Srinivasaga raghavan

For Respondent No.1 in

CPR(MD) Nos.1092 and 2272 of 2016

: M/S. D. Malaichamy.

COMMON ORDER

The Civil Revision Petitions in C.R.P(MD) Nos.1092, 2235 & 2236 of 2016 are filed to aside the Order dated 14.03.2016, passed in E.A. No.11 of 2016, E.A. No.32 of 2015 and E.A. No.12 of 2016 respectively in O.S. No. 13 of 2008 on the file of 1st Additional District Judge, Madurai.

The Civil Revision Petition is CRP(MD).No. 2272 of 2016 is filed under Article 227 of the Constitution of India praying to allow the C.R.P. With costs by setting aside the Judgment and decree dated 12.03.2008 passed in O.S. No.13 of 2008 on the file of 1st Additional District Judge, Madurai.



2. Parties in all the Civil Revision Petitions are one and the same.

3. The learned counsel appearing for the petitioner submitted that second respondent remained ex parte before the Court below and therefore, he is not seeking any relief against the second respondent.

4. Both the learned counsel appearing for the petitioner and the first respondent submitted that the petitioner and the first respondent have settled the matter amicably and the petitioner agreed to pay a sum of Rs.12,50,000/- to the first respondent within a period of two months from today. On such payment, the first respondent will report full satisfaction of the decree in O.S.No.13 of 2008, before the Executing Court. If the petitioner fails to pay the amount within a period of two months from today, it is open to the first respondent to proceed further in the Execution Petition.

5. Recording the Joint memo of compromise filed by the parties and the affidavit of undertaking filed by the petitioner, all the Civil Revision Petitions are disposed of. The Joint memo of compromise and the affidavit of undertaking given by the petitioner shall form part of the order. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CSII)

/True Copy/

Sub-Assistant Registrar

To

(*) COMPROMISE MEMO XEROX COPIES ARE ENCLOSED HEREWITH

The 1st Additional District Judge, Madurai.

+One cc to Mr.S.Srinivasa Raghavan, Advocate, SR.No.10679

+One cc to Mr.D.Malaichamy, Advocate, SR.No.10137

trp

RL/4C/2P/SV/MMS/SAR2/27.4.2017

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