



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.12.2017

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Cr1.O.P.(MD)No.103 of 2013

and

M.P.(MD)Nos.1 and 2 of 2013

1.R.Valamangai Nadar

2.S.Subbulakshmi

3.S.Shankaridevi

4.R.Gurus ankara Narayanan

5.R.Renganayagi

... Petitioners/A2 to A6

Vs.

N.Sathiyamoorthy

... Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the records in S.T.C.No.114 of 2008 on the file of the Principal District Munsif Court, Pudukkottai, and quash the same.

For Petitioners : Mr.T.Senthilkumar

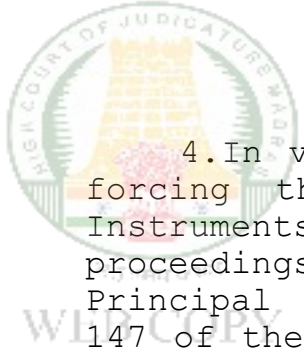
For Respondent : Mr.A.Karthik

ORDER

This Criminal Original Petition has been filed to quash S.T.C.No.114 of 2008 on the file of the Principal District Munsif Court, Pudukkottai.

2.The respondent herein filed a complaint under Section 138 of the Negotiable Instruments Act, against the petitioners before the Principal District Munsif Court, Pudukkottai and the same is pending as S.T.C.No.114 of 2008.

3.Today, when the matter is taken up for hearing, the petitioners and their counsel and the respondent and his counsel are present and they filed a memo vide USR.No.3377/2017, dated 24.11.2017, under Section 147 of the Negotiable Instruments Act, dated 29.11.2017, wherein it has been stated that the petitioners and the respondent herein have settled the issue against each other out of Court and the petitioners paid a sum of Rs.7,00,000/- through D.D.No.564438, dated 15.11.2017, drawn on Indian Bank, Thillai Nagar Branch, Trichy, to the respondent, as full and final settlement.



4. In view of the above, no useful purpose would be served by forcing the parties to face the trial under the Negotiable Instruments Act. Therefore, I have no hesitation to quash the proceedings in S.T.C.No.114 of 2008 pending on the file of the Principal District Munsif Court, Pudukkottai, by invoking Section 147 of the Negotiable Instruments Act. Accordingly, this Criminal Original Petition is allowed and the proceedings in S.T.C.No.114 of 2008 pending on the file of the Principal District Munsif Court, Pudukkottai, is quashed based on the Joint Compromise Memo USR.No.3377/2017, dated 24.11.2017. The Joint Compromise Memo USR.No.3377/2017, dated 24.11.2017, shall form part of this order. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To

The Principal District Munsif,
Pudukkottai.

+1cc to Mr.T.SENTHIL KUMAR Advocate in SR. No. 92126
SMN2
JS/SV.MMS/SAR.4/22.12.2017/2P-3C

Cr1.O.P. (MD) No.103 of 2013
11.12.2017