



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.02.2017

CORAM:

**THE HONOURABLE MR.JUSTICE M.DURAI SWAMY**

S.A. (MD) No.445 of 2011

1.R.Nambiappillai  
2.Chellammal  
3.Petchiammal  
4.Lakshmi  
5.M.Durai  
6.Sundari  
7.M.Mariappan

.. Appellants/Appellants/Defendants 1,3 to 8

**Vs**

1.S.Mudimanna Narayanan  
2.S.Boominathan  
3.Dalavoi Indiran  
4.Pappu Sita Lakshmanan  
5.Nagamuthu Krishnan

.. Respondents/Respondents/Plaintiffs

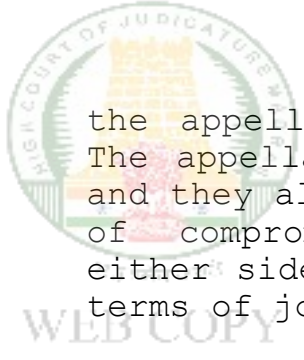
**Prayer:** Second Appeal filed under Section 100 of the Civil Procedure Code against the judgment and decree passed in A.S.No.35 of 2010, dated 15.09.2010, on the file of the Principal Subordinate Court, Tirunelveli confirming the judgment and decree passed in O.S.No.382 of 2002, dated 17.12.2009, on the file of I Additional District Munsif Court, Tirunelveli.

For Appellants : Mr.G.R.Swaminathan  
For Respondents : Mr.S.Ramesh

**JUDGMENT**

Challenging the judgment and decree passed in A.S.No.35 of 2010, on the file of the Principal Subordinate Court, Tirunelveli confirming the judgment and decree passed in O.S.No.382 of 2002, on the file of I Additional District Munsif Court, Tirunelveli, the defendants 1, 3 to 8 have filed the above Second Appeal.

2. When the matter is taken up for hearing, the learned Counsel appearing on either side submitted that the parties had settled the matter out of Court and also entered into a joint memorandum of compromise dated 27.02.2017. The learned Counsel appearing on either side also filed the joint memorandum of compromise signed by



the appellants and the respondents and their respective Counsel. The appellants and the respondents were also present in the Court and they also acknowledged the due execution of the joint memorandum of compromise dated 27.02.2017. The learned Counsel appearing on either side submitted that the Second Appeal may be disposed of in terms of joint memorandum of compromise.

3. Having regard to the submissions made by the learned Counsel appearing on either side, the joint memorandum of compromise dated 27.02.2017 shall form part of the record and the Second Appeal is disposed of in terms of joint memorandum of compromise dated 27.02.2017. The terms of joint memorandum of compromise shall form part of the decree in S.A.(MD)No.445 of 2011. There shall be no order as to costs.

Sd/-  
Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar

**To**

1. The Principal Subordinate Judge, Tirunelveli.
2. The I Additional District Munsif, Tirunelveli.

**Copy To:-**

The Section Officer,  
V.R.Section,  
Madurai Bench of Madras High Court,  
Madurai.

- + 1 CC TO Mr.V.RAGHAVACHARI, ADVOCATE IN SR No. 11121
- + 1 CC TO Mr.G.R.SWAMINATHAN, ADVOCATE IN SR No. 11354

SSL  
TE/PM-PN/SAR-I : 28/02/2017 : 2P/6C

S.A. (MD) No.445 of 2011  
27.02.2017