



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.01.2017

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAISWAMY

S.A. (MD) No. 623 of 2011

and

M.P. (MD) No. 1 of 2011

Pakkir Mohideen Rowther ..Appellant/ Respondent/Defendant
Vs.

A.Mohamed Ismail .. Respondent/Appellant/Plaintiff

Prayer: Second Appeal filed under Section 100 of the Civil Procedure Code against the judgment and decree made in A.S.No.9 of 2009 dated 15.06.2010 on the file of the Principal District Judge, Tirunelveli modifying the judgment and decree made in O.S.No.107 of 2007, dated 22.01.2009, on the file of the Subordinate Judge, Valliyoor.

For Appellant : Mr.M.Suresh Kumar

For Respondent : Mr.H.Arumugam

JUDGMENT

Challenging the judgment and decree passed in A.S.No.9 of 2009, on the file of the Principal District Court, Tirunelveli reversing the judgment and decree passed in O.S.No.107 of 2007, on the file of the Subordinate Court, Valliyoor, the defendant has 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 and that the defendant had paid a sum of Rs.3,65,000/- (Rupees Three Lakhs and Sixty Five Thousand only) towards the full satisfaction of the suit claim.

3. The learned Counsel appearing for the respondent/plaintiff also produced a copy of the full satisfaction memo dated 08.12.2011.

4. The learned Counsel appearing on either side submitted that since the parties had settled the matter out of Court, nothing survives for adjudication in this matter.



5. In view of the submission made by the learned Counsel appearing on either side, the Second Appeal is dismissed as infructuous. There shall be no order as to costs. Consequently, the connected Miscellaneous Petition is also dismissed.

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Sd/-
Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The Principal District Judge, Tirunelveli.
 2. The Subordinate Judge, Valliyoor.
 - 3 THE SECTION OFFICER, VR SECTION ,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
- +1 cc to MR.R.SURESH KUMAR, Advocate SR.No.2749

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SMA/SS-2-KSM/25.01.2017:2P/5C