

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.01.2018

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

S.A.No.843 of 1998

1.Jagannathan

2.Kathirvelu

3.Jayakumar

... Appellants/Defendants 2 to 4 in Trail Court

Vs.

1.Rajamanickam Pillai/Kandasami pillai

2.Thandapani (alias) Periasamy

... 2nd Respondents/Plaintiff and 1st defendant
in Trail Court

Prayer:

Second Appeal filed under Section 100 of C.P.C. against the judgment and decree of the Court of the Principal District Judge, in A.S.No.42/ 97 dated 16.02.1998 in confirming the judgment and decree on the file of the Principal District Munsif, Pondicherry in O.S.No.700/93 dated 24.12.1996.

For Appellants : Mr.V.Raghavachari

For Respondent 1: Mr.S.Sudharshan
for Mr.S.Subramanian for R1

For Respondent 2: Appeared in Person

J U D G M E N T

The defendants 2 to 4, who lost their case in both the Courts below has filed the second appeal before this Court.

2.After filing of the second appeal, the plaintiff and the defendants got compromised. Accordingly, they filed a Memo of Compromise before this Court. The Memo of Compromise filed by both the parties reads as follows:

*"Both parties on the advise of elders have compromised the appeal in the following manners.

1. The suit was filed in the Lower Court by the Plaintiff / Respondent for declaration and possession of 5 Kuzhies and 15 Veasams of land described in the plaint.

2. The Defendant / Appellant agrees to divide the 'B' Schedule property into two portions and give 2 ½ Kuzhies of land and 7.5 Veasams of the Land to the Appellant / Plaintiff and deliver possession of the same. The Defendant / Appellant is at liberty to take possession of the said 2 ½ Kuzhies and 7.5 Veasams of land without any restriction. The Defendant agrees to retain the remaining extent of land and continue to enjoy the same without any restriction from anybody.

Therefore it is prayed that this Hon'ble Court may be pleased to pass a judgment and decree basing on this compromise and render justice."

3. The Memo of Compromise filed by both the parties is taken on record and the second appeal is closed. The Memo of Compromise filed by both the parties shall form part and parcel of the decree. No costs.

Sd/-

Assistant Registrar(CS III)

Corrected as per the order of this court dated 12/02/18 made in SA.NO.843/98

//True Copy//

Sub Assistant Registrar

To

1. The Principal District Judge,
Pondicherry.

2.The Principal District Munsif,
Pondicherry.

+2cc to Mr.V.Raghavachari, Advocate sr.no.758,10770

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nr 05/06/2018



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