

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.03.2018

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

S.A.No.1957 of 1999
and
C.M.P.No.21624 of 1999

V.K.Rathna Devi

..Appellant/Defendant

Vs.

Ramayal

..Respondent/Plaintiff

Prayer:- Second Appeal filed under Section 100 of C.P.C., against the judgment and decree dated 26.08.1999 in A.S.No.4 of 1999 before the Sub Court, Gobichettipalayam, confirming the judgment and decree dated 25.11.1998 in O.S.No.196 of 1997 before the District Munsif Court, Gobichettipalayam.

For Appellant : M/s.R.Meenal

For Respondent : R.N.Amarnath

J U D G M E N T

The defendant is the appellant herein and the plaintiff is the respondent herein. The plaintiff / respondent filed a suit in O.S.No.196 of 1997 for recovery of sum of Rs.14,160/- and the suit was decreed in favour of the plaintiff. Aggrieved by the same, the defendant filed an appeal before the First Appellate Court. The First Appellate Court dismissed the appeal and confirmed the judgment and decree of the Trial Court. As against the concurrent findings, the present second appeal is filed.

2.The learned counsel for the appellant would submit that the she is none other than the sister's daughter of the respondent / plaintiff and both the parties settled the matter amicably and accordingly filed a joint memo dated 27.03.2018 stating that the parties have settled the entire suit claim at Rs.26,000/- (Rupees Twenty Six Thousand only) in favour of the respondent / plaintiff.

3.Out of the said amount, a sum of Rs.8,000/- (Rupees Eight Thousand only) has already been deposited to the credit of O.S.No.196 of 1997 on the file of District Munsif Court,

Gobichettipalayam. The balance sum of Rs.18,000/- (Rupees Eighteen Thousand only) was paid by way of Demand Draft bearing D.D.No.0848104 dated 16.03.2018 drawn on UCO Bank in favour of the respondent i.e. Ramayal.

4.The joint memo dated 27.03.2018 is taken on record. Liberty is granted to the respondent / plaintiff to withdraw Rs.8,000/- which was already deposited before the District Munsif Court, Gobichettipalayam to the credit of O.S.No.196 of 1997.

5.The second appeal is disposed accordingly. The said joint memo shall form and parcel of the decree. No costs. Consequently, connected CMP is closed.

*Enclosed Xerox copy of the Memo of Compromise

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

To

- 1.Sub Court
Gobichettipalayam
- 2.District Munsif Court
Gobichettipalayam
- 3.Section Officer
V.R.Section
High Court of Madras
Chennai 600 104

+1cc to R.N.Amarnath, Advocate sr.no.23899
+1cc to M/s.R.Subramanian, Advocate Sr.no.23637

S.A.No.1957 of 1999

cnr (co)
nr 09/08/2018