

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.01.2018

CORAM:

THE HONOURABLE MR. JUSTICE **D. KRISHNAKUMAR**

CRP(PD).No.4604 of 2017

1.Malarkodi

2.Subramanian

Vs

Surya Narayanan

.. Petitioner

.. Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India to issue direction for the speedy disposal of the appeal in A.S.No.42 of 2013 on the file of the Mahila Court, Cuddalore, in terms of the Joint Memo.

For Petitioner : Mr.N.Suresh

For Respondent : Mr.V.Balamurugan

* * * * *

WEB COPY
ORDER

The petitioners have filed the present Civil Revision Petition before this Court. According to the revision petitioners, the

respondent has filed the suit in O.S.No.85 of 2010 before the Principal Sub Court, Cuddalore. The suit was originally decreed by the Trial Court. As against that the petitioners filed an appeal in A.S.No.42 of 2013 before the Principal District Court, Cuddalore. When the appeal suit is pending, both the parties i.e. the petitioners and the respondent had entered a joint memo of compromise and the same was filed before the Court below. But the Court below adjourned the appeal suit for arguments, without considering the memo. Therefore, the present Civil Revision Petition is filed before this Court.

2.The learned counsel appearing for the respondent would submit that parties entered the joint memo, However, the petitioners have not filed any application to record the joint memo of compromise entered between the parties before the Trial Court. In the event of application is filed the respondent have no objection on in allowing the application.

3.By considering the facts and the submissions made by the parties, without expressing any opinion, at this stage, this Court is not inclined to entertain the present Civil Revision Petition. This Court, is directed, the petitioners to file an application before the Court below

for recording the joint memo of compromise entered between the parties. In the event of said application is filed by the petitioners, the Appellate Court is directed to dispose of the same in accordance with law, as early as possible.

4.The Civil Revision Petition is disposed of with the above direction. No costs.

25.01.2018

Speaking/Non-Speaking order
Index :Yes/No
Internet:Yes/No

ah

Note: Issue Order Copy on 01.02.2018

To

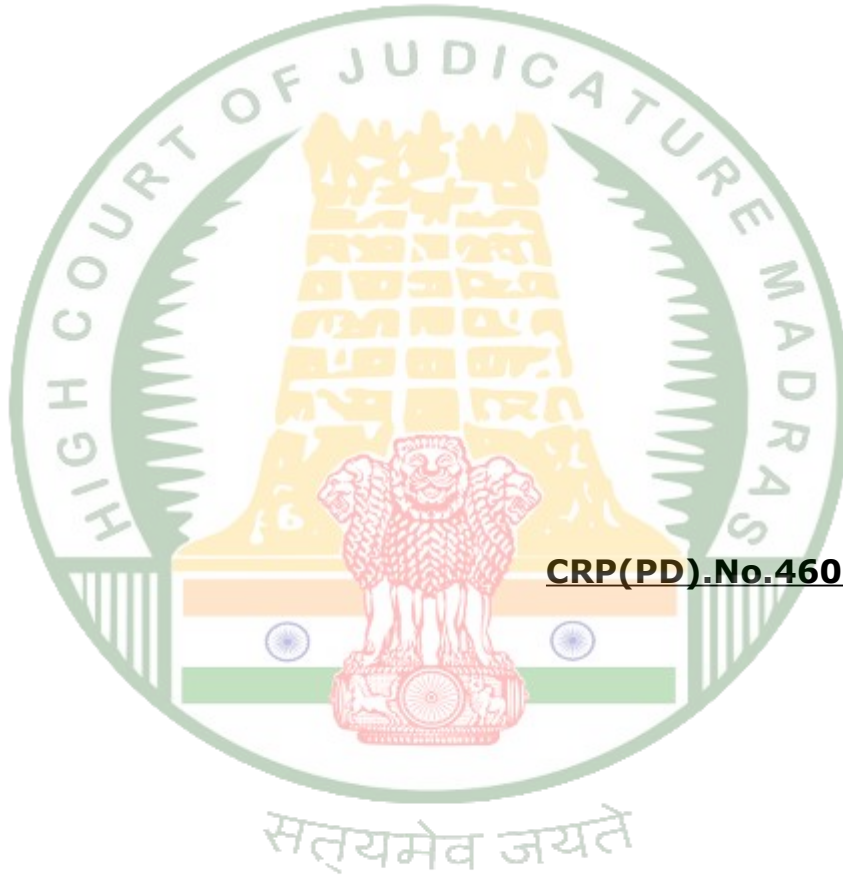
The Mahila Judge,
Cuddalore.

सत्यमेव जयते

WEB COPY

D. KRISHNAKUMAR J.,

ah



CRP(PD).No.4604 of 2017

WEB COPY

25.01.2018