

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 16.02.2018

CORAM

THE HON'BLE Mr.JUSTICE A.SELVAM
and
THE HON'BLE Mr.JUSTICE P.KALAIYARASAN

A.S.No.953 of 2010
and M.P.No.1 of 2010

S.M.Manonmani ... Appellant(Plaintiff)

Vs

Marappa Gounder [deceased]

1.S.M.Sridhar

2.S.M.Shanti

3.Krishnamoorthi

4.C.Selvam

5.Saradambal

... Respondents(Defendants 2 to 6)

First Appeal preferred under Section 96 read with Order 43 Rule 1 of the Code of Civil Procedure, 1908, against the judgment and decree dated 27.10.2010 made in O.S.No.14 of 2007 by the Additional District Court, (Fast Track Court-II) Gobichettipalayam.

For Appellant : Mr.S.Parthasarathy

For Respondents: Mr.I.Davidsingh for R1 & R5

: Ms.J.Kavitha for R2

: Mr.T.M.Pappiah for R3 & R4

J U D G M E N T

[Judgment of the Court was delivered by A.SELVAM, J.]

This Appeal Suit has been directed against the judgment and decree dated 27.10.2010, passed in O.S.No.14 of 2007, by the Additional District Court, FTC -II Gobichettipalayam.

2.The appellant herein, as plaintiff, has instituted O.S.No.14 of 2007 on the file of the trial Court, praying to pass a preliminary decree of partition, wherein, the present respondents have been arrayed as defendants.

3.The trial Court, after considering the available evidence on record, has dismissed the suit. Against the judgment and decree passed by the trial Court, the present Appeal Suit has been preferred at the instance of the plaintiff, as appellant.

4.During pendency of the same, both the appellant and respondents have entered into a compromise and to that effect a compromise memo has been filed, wherein, both the appellant and respondents have put their signatures.

5.Considering the fact that a compromise memo has been filed, both the appellant and respondents are directed to make their appearance and accordingly, they make their appearance with their respective counsel and the Court has ascertained the factum of compromise. Both the appellant and respondents have conceded the same.

6.Considering the afore said factual aspect, this Appeal Suit is liable to be disposed of in terms of compromise.

In fine, this Appeal Suit is disposed of in terms of compromise. The terms of compromise shall be incorporated in the decree. No costs.

Connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar (CCC)

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Sub Assistant Registrar

gya

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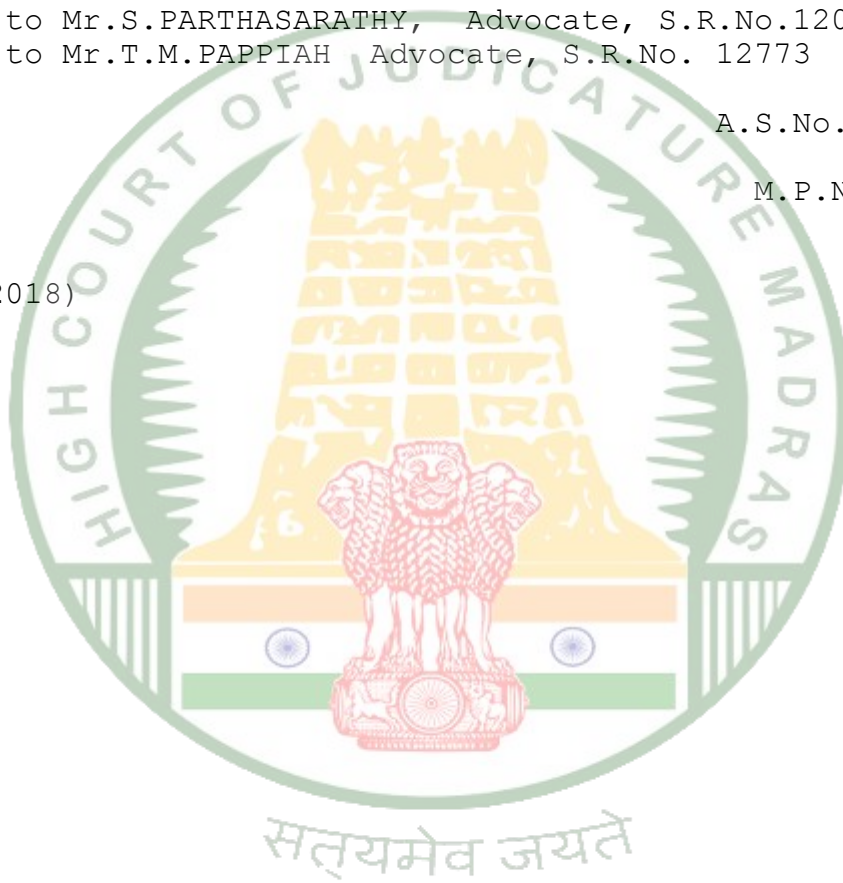
To
The Additional District Judge,
Fast Track Court II,
Gobichettipalayam.

2. The Section Officer, V.R. Section,
High Court, Madras.(2 copies)

+1cc to Mr.S.PARTHASARATHY, Advocate, S.R.No.12024
+1cc to Mr.T.M.PAPPIAH Advocate, S.R.No. 12773

A.S.No.953 of 2010
and
M.P.No.1 of 2010

NM(CO)
TR(16/04/2018)



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