



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.08.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

C.R.P. (NPD) (MD) No.839 of 2013

and

M.P (MD) No.1 of 2013

1.Ganeshan
2.Saravanan

: Petitioners/Respondents/
Defendants 2 and 3

vs.

1.M/s.Murugappa & Co.,
Through its Managing Partner.

: 1st Respondent/Petitioner/
Plaintiff

2.Annakamu

: 2nd Respondent/Respondent/
1st Defendant

PRAYER: Civil Revision Petition filed under Section 115 of Civil Procedure Code, to set aside the fair and decreetal order dated 25.02.2013 made in E.P.No.237 of 2005 in O.S.No.289 of 2004 on the file of the Principal Sub Court, Dindigul.

For Petitioner	:Mr.J.Lawrance
For R1	:Mr.M.Saravanan
For R2	:Party appeared

ORDER

This Civil Revision Petition is filed against the order passed by the Executing Court, directing the arrest of the revision petitioner in E.P.No.237 of 2005 in O.S.No.239 of 2004 on the file of the Principal Sub-Court, Dindigul.

2.The first respondent in this Civil Revision Petition has filed the suit for recovery of amount of Rs.1,86,221/- and obtained a decree in O.S.No.239 of 2004. The second respondent herein is the first defendant in the suit and the petitioners herein are the defendants 2 and 3 in the suit. Since the revision petitioners have not paid any amount, the first respondent herein filed a petition in E.P.No.237 of 2005, for an order of arrest of the revision petitioners and the second respondent herein and to commit them in civil prison, till the entire decree amount is discharged. The said



petition was ordered, against which, the defendants 2 and 3 have preferred the above Civil Revision Petition.

3. During the pendency of this petition, the petitioners and the respondents have negotiated for compromise. Since, there was an element of settlement, this Court has suggested the parties for compromising the issue. Now, it is submitted that the parties have entered into a compromise and a compromise memo, dated 03.08.2018 signed by both parties in the presence of their respective counsel is also produced before this Court. The compromise memo contains the terms agreed between the parties and the revision petitioners have agreed to pay a sum of Rs.1,50,000/- as full and final settlement of the decree in O.S.No.239 of 2004 within a period of six weeks from the date of compromise.

4. Recording the compromise memo, this Court is inclined to dispose of this petition. Accordingly, this Civil Revision Petition is disposed of. No Costs. The compromise memo dated 03.08.2018 shall form part of this order. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar ()

/True Copy/

Sub Assistant Registrar (CS-)

Encl.: Xerox copy of Compromise Memo

To

1. The Principal Subordinate Judge, Dindigul.
2. The Section Officer,
Vernacular Records,
Madurai Bench of Madras High Court,
Madurai. (2 Copies)

- + 1 CC TO Mr.J.LAWRANCE, ADVOCATE IN SR No. 77146
- + 1 CC TO Mr.R.SUBRAMANIAN, ADVOCATE IN SR No. 77065

CMR

TE/RSK/SAR-4 : 18/09/2018 : 2P/6C

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