



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.10.2018

CORAM

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THE HONOURABLE MRS. JUSTICE R. THARANI

S.A.(MD)No.304 of 2013

1.Rani (died)
2.Benedict Prabu
3.S.Antony Jeva Devi

(Appellants 2 & 3 brought on record as LRs
of deceased sole appellant vide order dated
17.3.2016 made in C.M.P.(MD)Nos.88 & 89/16
in S.A.(MD)No.304 of 2013)

... Appellants

Vs.

1.G.Ashok
2.Siluvai gnanamani

... Respondents

Prayer : This Second Appeal is filed under Section 100 of Civil Procedure Code, to set aside the Judgment and Decree passed in A.S.No.28 of 2011 dated 19.07.2012 on the file of the III Additional District & Sessions Court , Tirunelveli confirming the Judgment and Decree passed in E.A.No.79 of 2008 in E.P.No.22 of 2007 in O.S.No.243 of 2000 dated 07.01.2010 on the file of the Sub Court, Valliyoor.

For Appellants : Mr.S.Rajesh Kumar
for Mr.D.Nallathambi

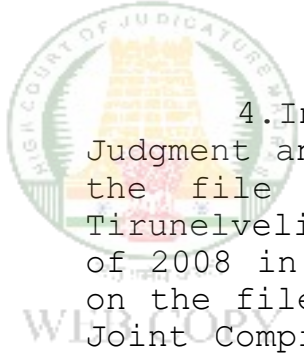
For Respondent : Mr.N.Vignesh
for Mr. H.Arumugam

J U D G M E N T

Both sides present.

2.It is stated that in pursuance to the mediation, dated 05.10.2018, the appellants and the respondents have settled their dispute amicably and they have also entered into a compromise. A Joint Compromise Memo, dated 09.10.2018, signed by both parties, in the presence of their respective Counsel, is also produced before this Court.

3.In the light of the above and in view of the specific terms of the Joint Compromise Memo, this Court is of the view that no useful or fruitful purpose will be served by keeping this matter pending.



4. In the result, this Second Appeal is allowed and the Judgment and Decree passed in A.S.No.28 of 2011 dated 19.07.2012 on the file of the III Additional District & Sessions Court, Tirunelveli confirming the Judgment and Decree passed in E.A.No.79 of 2008 in E.P.No.22 of 2007 in O.S.No.243 of 2000 dated 07.01.2010 on the file of the Sub Court, Valliyoor, is hereby set aside. The Joint Compromise Memo signed by the parties shall form part of the order. No Costs.

Sd/-
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar(CS-II)

Encl: Xerox copy of Joint Compromise Memo

To

1. The III Additional District & Sessions Judge
Tirunelveli.
2. The Sub-ordinate Judge,
Valliyoor.
3. The Section Officer, (2 copies)
VR Section,
Madurai Bench of Madras High Court,
Madruai.

+1cc to Mr.D.Nallathambi, Advocate Sr.No.92806
+1cc to Mr.H.Arumugam, Advocate Sr.No.93200

LS

VB/BK/SAR2/20.12.2018/2P/7C

S.A. (MD) No.304 of 2013
29.10.2018