

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.12.2019

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

A.S.No.31 of 2013

M.P.No.1 of 2013

- 1.R.Gunasekaran(died)
- 2.Madhan Raj
- 3.Samundeeswari
- 4.UshaNandhini

....Appellants

Appellants 2 to 4 are impleaded as LR's of the deceased sole appellant vide order dated 06/02/2019 made in C.M.P.Nos.9097 of 2019 in A.S.No.31 of 2013

Vs.

- 1.Sivakamasundari
- 2.Selvam
- 3.Senthilkumar

...Respondent

Prayer : First Appeal filed against the Judgment & Decree dated 01.02.2012 passed in O.S.No.44 of 2011 on the file of the District Judge, District Court No.II, Kancheepuram.

For Petitioner : Mr.K.Rajasekaran

For Respondent : Mr.G.Punniyakotti

O R D E R

The learned counsel appearing on behalf of the appellant as well as the respondents filed a joint memo of Compromise agreed by the parties to the appeal suit. Both the appellant as well as the respondent is present before this Court and acknowledged the fact that the Joint Memo of Compromise is duly signed by the parties. The terms of the compromise in the Joint Memo are extracted hereunder:

- 1.The appellants and the respondents have mutually settled their dispute out of the Court.
- 2.The respondents received the whole amount as they claim in the original suit from the appellants.

3.Now there is no claim pending against the appellants from the respondents.

2. In view of the compromise, the issues between the parties are settled out of the Court. Consequently, the appellant is entitled to get back the Court fee paid and the Registry is directed to repay the Court fee by following the procedures contemplated. As far as the amount deposited, at the time of admission of the first appeal on 18.02.2013 in M.P.No.1 of 2013, the amount of Rs.4,57,467/- deposited by the appellant in A.S.No.31 of 2013, is directed to be returned with accrued interest within a period of four weeks from the date of receipt of a copy of this Order Accordingly, the first appeal stands disposed of. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

The District Judge II,
Kancheepuram.

Copy to

The Section Officer,
VR Section, High Court, Madras.

+1cc to Mr.K.Rajasekaran, Advocate Sr.103559
+1cc to Mr.G.Punniyakotti, Advocate Sr.103525

A.S.No.31 of 2013

ks[co]
srg 17/08/2020

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