

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.12.2019

CORAM

THE HON'BLE MR. JUSTICE G.K.ILANTHIRAIYAN

SA.No.1871 of 2000

Kuppammal

...Appellant/Respondents 4/Defendant 4

Vs.

1.Arul @ Kasthuribai

....1st Respondent/Appellant/Plaintiff

2.Palaniyandi

3.Jothi

4.Sivagami

5.Anbzhagy

6.Aburoovam

7.Anjalai

8.Arumugam

...Respondents 2 to 8/Respondents

1,2,3,5 to 8/Defendants 1,2,3,5 to 8

PRAYER:

The Second Appeal is filed under Section 100 of CPC against the judgment and decree dated 30.06.2000 made in AS.No.13 of 1999, on the file of II Additional District Judge, Pondicherry reversing the judgment and decree dated 31.07.1997 made in OS.No.137 of 1991 passed by the learned Additional Sub-Judge, Pondicherry.

For Appellant : Mr.P.Rajendran

For Respondents

For R1 : Mr.R.Gowthamanarayanan

For R4 : Mr.R.Sunilkumar

: R2, 3 and 5 to 8 - set Exparte

JUDGMENT

This second appeal is filed against the judgment and decree dated 30.06.2000 made in AS.No.13 of 1999, on the file of II Additional District Judge, Pondicherry reversing the judgment and decree dated 31.07.1997 made in OS.No.137 of 1991 passed by the learned Additional Sub-Judge, Pondicherry.

2.The learned counsel appearing for the appellant as well as the respondents submitted that the matter has been settled between the parties before the Mediation and Conciliation Centre and they also entered into joint compromise memo on 26.11.2019, which is extracted hereunder:

"1.The Appellant has agreed to pay Rs.2,75,000/- (Rupees Two Lakhs Seventy Five Thousand only) to the first respondent and the first respondent has agreed to receive the said sum of Rs.275000/- (Rupees Two Lakhs Seventy Five Thousand only) from the Appellant in full and final settlement of all her claims in the above S.A.No.1871 of 2000 and the concerned Appeal Suit and Original Suit. As per this agreement, the Appellant has handed over Demand Draft No.482043 dated 22.11.2019 drawn on Indian Bank, Lawspet Branch in favour of Mrs.N.Kasturi Bai, the 1st respondent in this appeal and she has signed this Joint Compromise Memo acknowledging the receipt of the said sum of Rs.2,75,000/- (Rupees Two Lakhs Seventy Five Thousand only).

2.The Appellant shall pray for dismissal of above SA.No.1871 of 2000 as settled out of Court.

3.The above said 1st respondent in the above appeal has no objection for refund of full court fee to the appellant in the above appeal as per rules."

3.Recording the above joint compromise memo dated 26.11.2019 entered between the parties, which shall form part and parcel of this order, this second appeal is disposed of. No costs.

4.It is also noted that the appellant is entitled for refund of the court fees, since the matter has been settled between the parties before the Mediation and Conciliation Centre.

* Xerox copy of Joint Memo of Compromise Enclosed

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

lok

To

1.The II Additional District Judge,
Pondicherry

2.The Additional Sub-Judge,
Pondicherry.

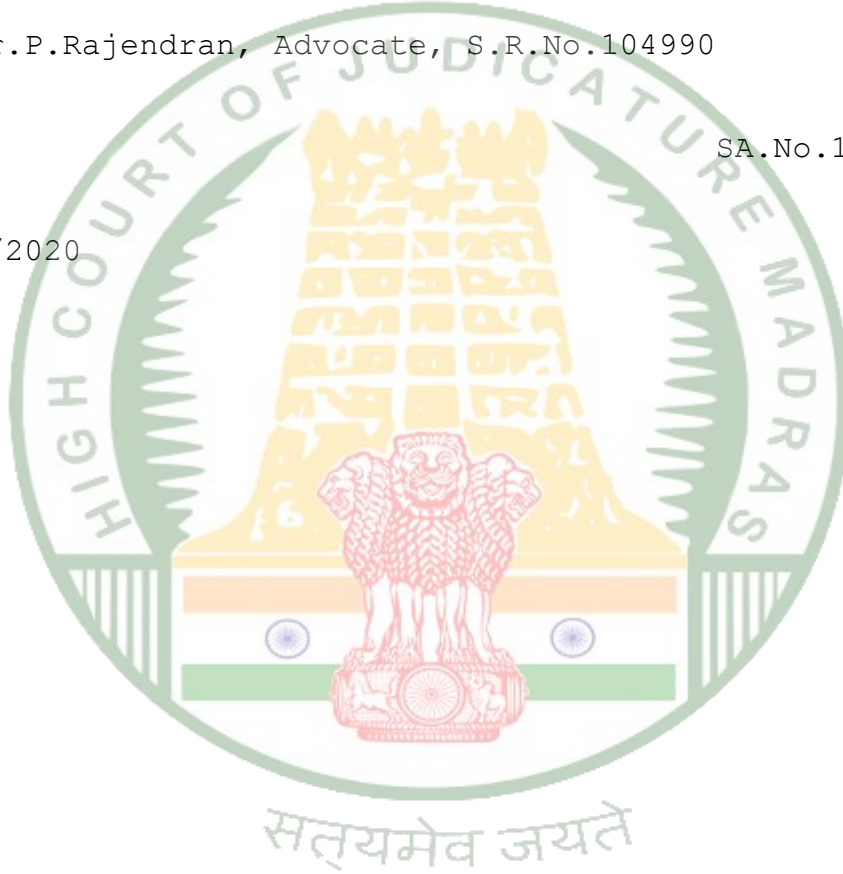
Copy to

The Section Officer,
V.R.Section,
High Court, Madras.

+1cc to Mr.P.Rajendran, Advocate, S.R.No.104990

SA.No.1871 of 2000

GJ(CO)
KKV/09/12/2020



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