



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 10.06.2019

CORAM:

THE HONOURABLE MR. JUSTICE N.SESHASAYEE

S.A.No.191 of 2008

S.Nachimuthu Gounder

... Appellant/Defendant

Vs.

K.P.Angappasami

...Respondent/Plaintiff

Prayer:- Second Appeal filed under Section 100 of Civil Procedure Code against the Judgment and decree dated 15.06.2007 made in A.S.No.93 of 2006 on the file of the Principal District Court, Erode, reversing the judgment and decree dated 10.07.2006 made in O.S.No.657 of 1998 on the file of the First Additional Sub-Court, Erode.

For Appellant : Mr.N.Manokaran

For Respondent : Mr.S.Kaithmalai Kumaran

JUDGMENT

It is a money suit which came to be dismissed by the trial court and reversed by the First Appellate Court. Challenging the same, the defendant has filed the present appeal. The parties herein have entered into a compromise and the terms of the compromise are stipulated in paragraph No.6 of the memo of compromise which reads as follows:

'6. At the instance of the mediators, the parties in the above second appeal agree to settle the dispute and agree to the following terms:

(a) The appellant agrees to pay a sum of Rs.3,00,000/- (Rupees three lakhs) to the respondent in addition to the deposit already made in the trial court pursuant to the order of High Court in full quit of the suit claim. The respondent herein hereby agrees to receive a sum of Rs.3,00,000/- from the appellant and agrees to withdraw the amount deposited and lying in the trial court to the credit of the suit O.S.No.657 of 1998 on the file of 1st Additional Sub-Court, Erode in full quit of the suit claim.



(b) Parties agree to bear their respective costs of the proceedings.'

2. The appeal is now stands disposed of in terms of the memo of compromise. No costs.

Sd/-
Assistant Registrar(CCC)

//True copy//

Sub Assistant Registrar

ssn

To

1. The Principal District Judge, Erode.

2. The I Additional Subordinate Judge, Erode.

+1cc to Mr.S.Kaithmalai Kumaran, Advocate SR.No.46832

+1cc to Mr.N.Manokaran, Advocate SR.No.46614

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VD(CO)
GMY(06/01/2020)