

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Date : 11.03.2019

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

Second Appeal No.483 of 2008

V.Ganapathy

...Appellant

Vs

S.Sasikala

... Respondent

Prayer:Second Appeal has been filed under Section 100 of C.P.C., against the judgment and decree dated 28.03.2005 passed in A.S.No.55/2004 on the file of Sub Court, Tirupattur Vellore District reversing the judgment and decree dated 29.10.2004 passed in O.S.No.19/2004 and prays for setting aside the same.

For Appellant : Mr.G.Muniratnam

For Respondent : Mr.P.S.Kothandaraman

JUDGMENT

The second appeal has been filed against the judgment and decree dated 28.03.2005 passed in A.S.No.55/2004 on the file of Sub Court, Tirupattur, Vellore District reversing the judgment and decree dated 29.10.2004 passed in O.S.No.19/2004 and prays for setting aside the same.

2. Today when the matter was called, both the learned counsel for the appellant and learned counsel for the respondent is present and they have filed Joint Memo of Compromise. The terms of the Joint Memo of Compromise is as follows:

"a. The respondent has paid a sum of Rs.1,10,000/- to the appellant in lieu of the receipt of the suit agreement advance amount as a full quit by way of a demand draft in D.D.No."946040" dated 08.03.2009 drawn from Syndicate Bank, Ambur branch payable to the appellant namely, Ganapathy.V. before this Hon'ble Court.

b. The parties to the proceedings have

no claim as against each other. All their disputes arising from the Suit Agreement is hereby amicably, mutually and peacefully settled.

c. The parties to the proceedings to bear their respective cost throughout.

d. On the basis of the Memo of Compromise, the appellant and the respondent pray that a Compromise Decree may be passed by this Hon'ble Court."

3. I have considered the submission made by the learned counsel appearing for both sides and have gone through the joint memo of compromise which is taken on record.

4. In view of the said compromise reached between the parties, this second appeal is disposed of strictly in terms of the joint memo of compromise, dated 11.03.2019 and the said compromise memo shall form part of the decree and judgment. No costs.

Sd/-

Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

ENCL: Xerox Copy of Joint Memo of Compromise

msv

To

1. The First Appellate Court,
Ambur, Vellore District.

2. The Sub Court,
Tirupattur, Vellore District.

+1cc to Mr.P.S.Kothandaraman, Advocate, S.R.No. 23790

Second Appeal No.483 of 2008

RR(CO)
GN(26/06/2020)