

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.09.2019

CORAM

THE HONOURABLE Mr.JUSTICE P.RAJAMANICKAM

S.A.No.1333 of 2005

- 1.Savitri (deceased)
- 2.Selvaraj
- 3.Kalvi
- 4.Malarvizhi
- 5.Manimegalai
- 6.Kanchana
- 7.Varalakshmi

... Appellants

(Appellants 3 to 7 are brought on record as LRs of the deceased first appellant vide order of the court dt 10.02.2014 and made in CMP.No.375/2013 in S.A.No.1333/2005)

Vs.

- 1.C.N.Boopathy
- 2.C.N.Chandran
- 3.L.Chokalingam
- 4.Saranya
- 5.Satish
- 6.Santosh

... Respondents

(Respondents 3 to 6 impleaded vide order of Court dt 07.01.2015 in CMP.No.1/2015 in S.A.No.1333/2005)

PRAYER:

Second Appeal filed under Section 100 of C.P.C., against the judgment and decree dated 27.08.2004 passed in A.S.No.65 of 2002 on the file of the Subordinate Judge, Kancheepuram District which is sustained by the judgment and decree dated 03.05.2002 passed in O.S.No.393 of 1997 on the file of the Principal District Munsif, Kancheepuram.

For Appellants : Mr.S.Francis Ashok

For Respondents : Mr.D.Aravindan for R1
Mr.P.Kandasamy for R3 to R6

JUDGMENT

The first appellant died and appellants 2 to 7 present with their counsel. Respondents 1, 3 to 6 present with their counsel. The second respondent not present.

2. It is submitted that the second respondent remained exparte before the courts below. Further, it is submitted that since the appellants herein had purchased the property from the second respondent, he remained exparte before the courts below and has not contested the case.

3. Both the parties filed a joint compromise memo. The terms and conditions of the compromise memo is read over and explained to the parties. They agreed to pass the decree in terms of the compromise. Hence, the joint compromise memo is recorded. The second appeal is disposed of in terms of the joint compromise memo.

4. The joint compromise memo and the plan annexed with the said compromise memo shall form part of the decree.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

Gv

To

1. The Subordinate Judge, Kancheepuram
2. The Principal District Munsif, Kancheepuram.
3. The Section Officer, VR Section,
High Court, Madras. (2 Copies)

+1cc to Mr.D.Aravindan, Advocate, S.R.No.79934

+2cc to Mr.S.Francis Ashok, Advocate, S.R.No.79216

S.A.No.1333 of 2005

SSV(CO)
CS/06/12/2019