



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:20.06.2019

CORAM:

THE HON'BLE MR.JUSTICE T.RAVINDRAN

A.S.No.168 of 2019

and

C.M.P.Nos.6288 & 6309 of 2019

1. V.Shanmugam
2. V.Rajendran
3. V.Ganesan
4. V.Mahendiran @ Perumal
5. V.Mohanasundaram
6. V.Vetrivel
7. Saraswathiammal
Krishnapathiammal (died on 23.01.2019)
Represented her legal heirs
8. V.Jaya
9. S.Vijay Kumar
10. S.Alagesan
11. S.Jayaprakash

[Cause title accepted
made in CMP.4543 of
2019 vide Court order
dated 22.02.2019]

...Appellants

Vs.

1. V.Subramani
2. Rukmaniammal
3. R.Siva Kumar
4. P.Palanivel
5. M.Baskar



6. V.Santhanam

7. K.Varathan

8. P.Santhanam

9. N.Pramothkumar

[Respondents 4 to 9 are
given up vide Court order
dated 18.06.2019 and memo
dated 18.06.2019]

...Respondents

Prayer: First Appeal filed under Section 96 r/w Order 41 Rule 1 CPC against the judgment and decree dated 29.08.2018 made in O.S.No.19 of 2017 as regards the clause 2, 3 and 4 of the decree on the file of the District Court - II, Kanchipuram.

For Appellants	: Mr.Y.Jyothish chander	
For RR1	: Mr.V.Manisekaran	
RR2	: Mrs.Rukmaniammal	Parties
RR3	: Mr.R.Sivakumar	
RR4 to R9	: Given up vide order dated 18.06.2019	

J U D G M E N T

Both the appellants and the respondents 1 to 3 as well as their respective counsel are present.

2.Memorandum of compromise entered into between the appellants and the respondents 1 to 3 is filed. The terms of the memorandum of compromise read over to the appellants and the respondents 1 to 3 and admitted by them to be correct. In view of the same, the memorandum of compromise entered into between the appellants and the respondents 1 to 3 is recorded.

3.Already, a memo has been filed by the appellants' counsel giving up the respondents 4 to 9.

4. In the light of the above position, the judgment and decree dated 29.08.2018 passed in O.S.No.19 of 2017 on the file of the District Court No. II, Kanchipuram are set aside and the first appeal is allowed in terms of the memorandum of compromise filed by the appellants and the respondents 1 to 3.



WEB COPY

5. Resultantly, the first appeal is allowed and the memorandum of compromise shall form part of the decree passed in the first appeal. No costs. Consequently, connected miscellaneous petitions are also closed.

6. Registry is directed to refund the Court fees to the appellants, if permissible under law.

Sd/-
Assistant Registrar (CO)

//True copy//

Sub Assistant Registrar

mfa

To

The District Judge,
District Court No.II,
Kanchipuram.

Copy to

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

+1cc to Mr.Y.Jyothish chander, Advocate SR.No.50458

+1cc to Mr.V.Manoharan, Advocate SR.No.50855

A.S.No.168 of 2019
and
C.M.P.Nos.6288 & 6309 of 2019

SSV (CO)
GMY (06/09/2019)