

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.12.2019

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

S.A.No.136 of 2016
and
CMP.No.2803 of 2016

P.Samiappan

... Appellant

Vs

1. Minor.Sakthi

Rep.by next Friend & mother
Maheswari

2. P.Raja @ Venkatachalam

... Respondents

Second Appeal is filed under Section 100 of Civil Procedure Code against the decree and judgment dated 19.03.2015 passed in A.S.No.8 of 2013 on the file of III Additional District Judge, Salem, confirming the decree and judgment dated 30.04.2012 passed in O.S.No.194 of 2010 on the file of the II Additional Subordinate Judge, Salem.

For Appellant : Mr.P.Jagadeesan
For R-1 : Mr.V.Sekar
For R-2 : Mr.R.Suresh

JUDGMENT

Today, when the matter is taken up for consideration, the learned counsel for the appellant as well as the learned counsel for the respondents submitted that the dispute between the parties has been amicably settled on 08.11.2019 in the District Mediation and Conciliation Centre, Salem.

2.This Court perused the mediation report along with settlement agreement entered into between the parties. For better understanding, the terms of the settlement agreement are extracted hereunder:

"a. It was agreed that, 3rd respondent agreed to live together with his wife and child i.e, 1st and 2nd respondents, the 3rd respondent paid Rs.2 lakhs to 1 and 2 respondents for the past maintenance and further agreed to live happily with them.

b. 3rd respondent executed a sale deed in favour of appellant Samiappan on 16.11.2009 in the said property. Samiappan agreed to give-up 10 cents of land, and remaining property belongs to appellant Samiappan, out of the said 10 cents, 3 cents goes to R1 and 7 cents goes to R2.

c. R3 agreed to withdraw the FCOP 424 of 2016 seeking divorce against R1 and promised for reunion and undertakes to take care of R1 and R2."

3. In view of the above, the second appeal stands disposed of, in terms of the settlement arrived at between the parties. The settlement agreement dated 08.11.2019 shall form part of the decree. Registry is directed to refund the court fee to the Appellant as per law. Consequently, connected Miscellaneous petition is closed. No costs.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

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To

1. The learned III Additional District Judge, Salem.
2. The learned II Additional Subordinate Judge, Salem.
3. The Section Officer, V.R. Section, High Court, Madras.

+1cc to Mr.P.Jagadeesan, Advocate, S.R.No. 103203

+1cc to Mr.V.Sekar, Advocate, S.R.No. 103356

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RR(CO)
GN(28/04/2021)