



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.11.2019

CORAM :

**THE HONOURABLE MRS.JUSTICE J.NISHA BANU**

S.A(MD)No.135 of 2009

V.Marimuthu ... Appellant/Defendant  
vs.

A.Sahmsular Begam ... Respondent/Plaintiff

Appeal filed under Section 100 of the Civil Procedure Code, against the decree and judgment dated 14.03.2008 made in A.S.No.103 of 2006 on the file of the Principal Subordinate Judge, Kumbakonam, confirming the decree and judgment dated 18.11.2005 made in O.S.No.317 of 2004 on the file of the Principal District Munsif, Valangaiman at Kumbakonam.

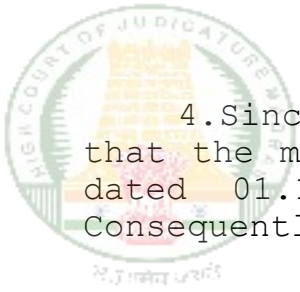
For Appellant : Mr.P.Thiagarajan  
For Respondent : Mr.V.K.Vijayaragavan

**JUDGMENT**

The second appeal has been filed against the decree and judgment dated 14.03.2008 made in A.S.No.103 of 2006 on the file of the Principal Subordinate Judge, Kumbakonam, confirming the decree and judgment dated 18.11.2005 made in O.S.No.317 of 2004 on the file of the Principal District Munsif, Valangaiman at Kumbakonam.

2.On earlier occasion, it was represented by the learned counsel for the respondent that the appellant/defendant has vacated the suit property and handed over the possession to the proposed respondents 2 to 5. Learned counsel for the appellant sought time to verify the same.

3.Today, when the second appeal is taken up for hearing, learned counsel for the respondent has stated that he has sent a letter to the proposed 2<sup>nd</sup> respondent which was returned as 'insufficient address'. He has also filed a memo to the effect that he was informed by the lower court counsel that the matter has been amicably settled between the parties. Therefore, the learned counsel for the 1<sup>st</sup> respondent reported no instructions. Learned counsel for the appellant also stated that he has no instructions from the appellant.



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4.Since both the parties did not turn up, it has to be presumed that the matter has been settled and therefore, recording the memo dated 01.11.2019, this second appeal is closed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS )

To

1)The Principal Subordinate Judge,  
Kumbakonam.

2)The Principal District Munsif,  
Valangaiman at Kumbakonam.

Copy to:

The Section Officer,  
VR Section(2 copies)  
Madurai Bench of Madras High Court,  
Madurai

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