



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.12.2019

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE **N. SATHISH KUMAR**

SA(MD).No.677 of 2008 and MP(MD).No.1 of 2008

Ravindran Fernando ...Appellant / 1st respondent /
1st defendant

Vs.

1.Sing. Ramachandran .. 1st respondent / Appellant/
plaintiff

2.A.Sivasubramanian (died)

(Memo presented in Court on 11.08.2009
and the same has been recorded, vide order
dated 11.08.2009 made in M.P.No. 1 of 2009)

3.Shanmugavalli

4.Tamilmani

5.Sivakamu

6.Suseela : Respondents 2 to 6 /Respondents 2 to 6/
Defendants 2 to 6

(Respondents 3 to 6 set ex parte before
the first appellate Court and hence, given up)

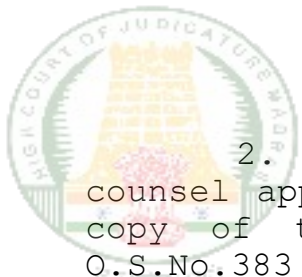
Prayer: This Second Appeal is filed under Section 100 CPC against
the reversing Judgment and decree in A.S.No. 26 of 2004 dated
26.03.2008 on the file of the Additional Subordinate Judge,
Thanjavur filed against the Judgment and Decree in O.S.No.145 of
2002 on the file of the District Munsif, Thanjavur, dated 03.09.2004.

For appellant : Mr. M.P.Senthil

For 1st respondent : Mr. M. Suresh

JUDGMENT

Reversing the Judgment of the Trial Court in O.S.No. 145 of
2002, which has been filed to declare the Judgment and Decree
obtained in O.S.No.116 of 1993 is not valid by cancelling the
decree, the first appellate Court allowed the appeal and cancelled
the decree and Judgment obtained in O.S.No. 116 of 1993, as against
which the present Second Appeal is filed by the appellant / first
defendant.



2. Today, when the matter came up for hearing, the learned counsel appearing for the first respondent / plaintiff produced a copy of the award passed in Lok Adalat dated 29.04.2016 in O.S.No.383 of 2011 on the file of the District Munsif Court, Thanjavur. The agreement reached between the parties makes it clear that the parties have settled their dispute and reached the terms in the agreement specified between the parties. The said settlement is also binding on this Second Appeal i.e., S.A.No.677 of 2008, which is pending before this Court.

3. In view of the above settlement reached between the parties nothing survives for adjudication in this Second Appeal and hence, the Second appeal is dismissed as infructuous. The copy of the Lok Adalat Award dated 29.04.2016 placed by the learned counsel appearing for first respondent / plaintiff shall form part of this order. No costs. Consequently, connected Miscellaneous Petition is also closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Trp

Encl: Xerox copy of Lok Adalat Award dated 29.04.2016

To

1.The Additional Subordinate Judge, Thanjavur

2.The District Munsif, Thanjvur,

+1 CC to Mr.M.P.SENTHIL, Advocate (SR-105285[F] dated 17/12/2019)

+1 CC to Mr.M.SURESH, Advocate (SR-105242[F] dated 17/12/2019)

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16.12.2019

VB(21.01.2020) 2P 5C