



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED :16.07.2019
CORAM:

THE HONOURABLE MR.JUSTICE **R. PONGIAPPAN**

WEB COPY

S.A. (MD) No.933 of 2008
and
M.P. (MD) No.1 of 2008

1.Gurusamy
2.Sulochana Ammal
3.Pichaiammal
4.Minor. Chella Mahamayi
5.Minor. Ramu .. Appellants / Respondents / Defendants

(Minors represented by their mother and
natural guardian the 3rd appellant herein)

Vs.

Ramaraj .. Respondent / Appellant / Plaintiff

Second Appeal is filed under Section 100 of the Code of Civil Procedure, 1908, against the Judgment and decree dated 21.02.2008 passed in Appeal Suit No.8 of 2007 by the Subordinate Judge, Srivilliputhur, reversing the Judgment and decree dated 27.11.2006 passed in Original Suit No.380 of 2004 by the Additional District Munsif, Srivilliputhur.

For Appellants : Mr.V.Janakiramulu
For Respondent : Mr.S.Kadarkarai

JUDGMENT

This second appeal is preferred against the Judgment and Decree, dated 21.02.2008 passed in Appeal Suit No.8 of 2007 by the Subordinate Judge, Srivilliputhur.

2. During the pendency of this appeal, considering the facts and circumstances of this case, by order dated 04.04.2019, this Court referred the matter to the Medication and Conciliation Centre, attached to this Bench. Today, it is represented by the learned counsel appearing for both sides that the matter has been settled between the parties during the process of mediation from 09.04.2019 to 10.07.2019. The Mediation report has also been enclosed with this appeal. As per the report of the Mediation Centre, dated 10.07.2019, the following settlement has been arrived at between the parties:

<https://hcservices.ecourts.gov.in/hcservices> (i) The 1st Appellant has agreed to pay full
and final settlement amount of Rs.50,000/- (Rupees



Fifty Thousand Only), to the respondent by two instalments. The Respondent has agreed to receive amount of Rs.50,000/- as final settlement from the 1st Appellant.

(ii) The 1st Appellant has paid 1st instalment amount of Rs.25,000/- (Rupees Twenty Five Thousand only) to the Respondent on 10.06.2019 and the 2nd instalment amount of Rs.25,000/- (Rupees Twenty Five Thousand only) is paid today, i.e., 10.07.2019. The Respondent has received the said amount and acknowledged the same before the Mediation Centre.

(iii) Both the parties have agreed that there will be no claims against each other in future in this regard."

The parties shall act as per the settlement entered between them. The report of the Mediation Centre, dated 10.07.2019, shall form part and parcel of the order.

3. This Second Appeal stands disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

4. The Court fee paid shall be refunded to the parties in the manner provided under the Court Fees Act 1870, as provided for under Sub. Section 1 of Section 21 of the LSA Act 1987 as amended in 1994.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

To

Encl: Report of the Mediation Centre date 10.07.2019

1. The Subordinate Judge, Srivilliputhur.

2. The Additional District Judge, Srivilliputhur.

Copy to:

The Section officer, V.R. Section,
Madurai Bench of Madras High Court,
Madurai. (2 copies)

S.A. (MD) No.933 of 2008
16.07.2019

AE/ (30.07.2019) 2P 5C