



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.08.2019

CORAM

WEB COPY

THE HONOURABLE MRS.JUSTICE R. THARANI

S.A. (MD)No.734 of 2013

G. Ramachandran

... Appellant/1st Respondent/
Plaintiff

Vs.

1.Sivanandan,
2.Vilasini,
3.Dharmendiran@gurunathan,
4.Vasantha, (Died)
5.Vijayamma,

: Respondents 1 to 5/Appellants
Defendants 1,2, 5 to 7

6.R. Ganesan,
7.Bahuleyan,
8.Mohanan,
9.Sreekumar,

: Respondents 6 to 9/Respondents 2 to 5
Defendants 3, 8 to 10

10.Seema
11.Asokan

: Respondents 10 & 11

(R10 & 11 are brought on record as LR's of
deceased R4, vide Court order dated 02.08.2019
made in C.M.P.(MD)No.7723 of 2016)

... Respondents

Prayer : This Second Appeal is filed under Section 100 of Civil Procedure Code, against the judgement and decree passed in A.S.No.41 of 2011 on the file of the learned Subordinate Judge, Kuzhithurai, dated 22.01.2013 reversing the judgement and decree passed in O.S.No.408 of 2001 on the file of the learned IInd Additional District Munsif, Kuzhithurai, dated 06.01.2011 and allow the Second Appeal.

For Appellant : Mr.V.M.Balamohan Thambi
For R10 & R11 : Mr.P.Periyasamy
R1 to R9 : dismissed

vide this Court order, dated 08.08.2019

J U D G M E N T

The learned counsel appearing for the appellant and the learned counsel appearing for the respondents 10 and 11 are present.

2.When the matter is taken up for hearing today (08.08.2019), on the side of the appellant, it is stated that he withdraw the case

as against the respondents 1 to 9 and also made an endorsement to that effect. Hence this Second Appeal is dismissed as against R1 to R9.

3.A Joint Compromise Memo signed by both the parties ie. appellant and R10 and R11 and also by their respective counsel is filed. The appellant and respondents 10 and 11 are present. The respondents 10 and 11 have no objection in allowing the Second Appeal regarding 'B' schedule pathway. This Court enquired both the parties and is satisfied that the parties have come to an amicable settlement between themselves.

4.In view of the compromise memo signed by the appellant as well as R10 and R11, this Second Appeal is allowed as per the terms of Joint Memo of Compromise and the compromise memo shall form part and parcel of this order. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Subordinate Judge, Kuzhithurai.

2.The IInd Additional District Munsif, Kuzhithurai.

Copy to: The Section Officer, VR Section,
Madurai Bench of Madras High Court,
Madurai.(2)

+1 CC to Mr.V.M.BALA MOHAN THAMBI, Advocate SR-81281.

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