



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.12.2019

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE R.SUBRAMANIAN

S.A. (MD) No.42 of 2017
and
C.M.P (MD) No.1012 of 2017

Sait @ Sethu ... Appellant / plaintiff
vs.

1.Balachander
2.Kumar ... Respondent 1 and 2 / Appellant / Defendant
3.Kamsla
Thangaraju (Died)
4.Muthukamu
5.Kumar
6.Valampal
7.Jayabal @ Mohammed Yusuf ... Respondents 3 to 7

(R6 and 7 are brought on record vide Court
order dated 17.12.2019) in CMP (MD) No.9935/19 in SA (MD) No.42/2017

PRAYER: This Second Appeal is filed under Section 100 of Civil Procedure Code, against the judgment and decree dated 18.02.2011 made in A.S.No.170 of 2009 on the file of the Court of the Principal Subordinate Judge, Tiruchirappalli reversing the judgment and decree dated 31.08.2009 made in O.S.No.274 of 1997 on the file of the Court of District Munsif, Lalgudi.

For Appellant : Mr.S.J.Maria Roseline
For R1 and R2 : Mr.M.Siddharathan
For R3 to R7 : Mr.T.Balasubramanian

JUDGMENT

The plaintiff in O.S.No.274 of 1997 on the file of the District Munsif Court, Lalgudi, having suffered a decree at the hands of the lower appellate Court, has come up with this second appeal.

2. The parties have entered into compromise and a memorandum of compromise memo has also been filed into Court. The parties are present in Court and affirmed the compromise memo.

3. In view of the compromise, the judgment and decree of the Courts below are set aside and they are substituted by the

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compromise decree in terms of the joint compromise memorandum signed by the parties as well as the learned respective counsel.

4. This second appeal is allowed in terms of the compromise memo. The parties shall bear their own costs. The compromise memo shall form part and parcel of this judgment and decree. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To

1.The Principal Subordinate Judge,
Tiruchirappalli.

2.The District Munsif,
Lalgudi.

Copy to:

The Section Officer, (2 Copies)
Vernacular Section,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.J.MARIA ROSELINE, Advocate (SR-106219[F] dated 20/12/2019)

S.A. (MD) No.42 of 2017
20.12.2019

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SDS (18.05.2020) 2P-6C