

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.12.2020

CORAM :

THE HONOURABLE MR. JUSTICE S.S. SUNDAR

A.S.No.8 of 2015

and C.M.P. No.1 of 2015

P.Natarajan

... Appellant/Plaintiff

Vs.

1.Maylathal

2.T.Vadivel

3.M.Kannammal

.... Respondents/Defendant

Appeal Suit filed under Section 96 of Civil Procedure Code against the judgment and decree passed in O.S. No.6 of 2009 dated 09.08.2011 on the file of the Additional District Court and Fast Track Court, Coimbatore.

For Appellants : Mr. M.Guruprasad

For Respondents : Mr. T.S.Baskar

J U D G M E N T

This appeal is preferred against the judgment and decree passed in O.S. No.6 of 2009 on the file of Additional District Court and Fast Track Court, Coimbatore.

2. This appeal is preferred by the plaintiff in the suit for specific performance. During pendency of this appeal, this Court after finding that there was an element of settlement, referred the matter to mediation centre. Though the mediation report which was sent to this Court earlier indicate that no agreement was reached, it is reported by the learned counsel appearing on either side that the parties have entered into mediation agreement. It is further stated that as per the mediation agreement, the appellant has received a sum of Rs.20,00,000/- and agreed to withdraw the appeal. The appellant has no objection for the suit being dismissed as it was done by the lower Court. Hence, the appeal has to be withdrawn by the appellant as per the mediation agreement.

3. Learned counsel appearing on behalf of the respondents also agreed the terms of the statement as per the mediation agreement. This Court, recording the terms of compromise from the statements of learned counsels on either side, is inclined

to dismiss this appeal.

4. Accordingly, the Appeal Suit is dismissed as withdrawn as per the mediation agreement. No costs. Connected miscellaneous petition is closed. The appellant is entitled to refund of Court fee. Registry is directed to refund the Court fee accordingly.

Sd/-
Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

bkn

To

The Additional District Court
and Fast Track Court,
Coimbatore.

Copy to
The Section officer
VR Section
High Court Madras

+1 cc to Mr.T.S.baskaran Advocate sr41989
+1 cc to Mr.M.Guruprasad Advocate sr42064

A.S.No.8 of 2015

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