

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.07.2020

CORAM:

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

S.A.No.538 of 2001

1.A.Krishna Gounder (died)
2.Panjalai
3.Jaya
4.K.Rajendran
5.Velmurugan
6.K.Dhassprakash
7.K.Prabakaran

(Appellants 2 to 7 brought on record as Lrs of the deceased sole appellant viz., A.Krishna Gounder vide Court order dated 06.08.2019 made in C.M.P.No.21196, 22868 and 22869 of 2018 in S.A.No.538 of 2001)

.. Appellants

Vs.

1.P.M.Venkatesan
2.V.Srinivasan
3.Elumalai

.. Respondents

PRAYER: Second Appeal is filed under Section 100 of C.P.C against the judgment and decree dated 29.09.2020 in A.S.No.172 of 1999 on the file of the Principal District Judge, Tiruvannamalai and reverse the Judgment and decree of the trial Court (Subordinate Judge, Arni) in O.S.No.177 of 1993 dated 31.08.1999.

For Appellants : Mr.Amizhdhu
for J.Antony Jesus

For Respondents : R1 & R2-Ex-parte
Mr.M.Venkatakrisnan for R3

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J U D G M E N T

(The case has been heard through video conference)

The learned counsel appearing for the appellant would submit that the parties have settled their dispute out of Court amicably and entered a deed of compromise on 17.03.2020. A copy of the deed of compromise is forwarded to the Registry through e-mail. The learned counsel undertakes to file the original deed of compromise in the Registry as soon as Registry open for receiving documents.

further submit that pursuant to the order passed by this Court in C.M.P.No.5783 of 2001, a sum of Rs.32,801/- has been deposited in the suit account and later on direction of this Court dated 07.06.2001, it was invested in a nationalized bank. If any such deposit is made, the same shall be returned to the appellant on filing appropriate petition and identification.

3. In the light of the above facts, this Second Appeal is disposed of as settled out of Court in terms of deed of compromise dated 17.03.2020. The deed of compromise shall form part of the judgment. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

ENCL: Xerox Copy of deed of compromise.

rpl

To

1.The Principal District Judge,
Tiruvannamalai.

2.The Subordinate Judge,
Arni.

S.A.No.538 of 2001

SSV(CO)
GN(09/02/2021)

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