

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.02.2020

CORAM :

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

S.A.No.936 of 2008
& MP.No.1 of 2008

Vetri @ Chandrasekaran ...Appellant/Defendant

Vs.

P.Balaji ...Respondent/Plaintiff

Prayer:- This Memorandum of Second Appeal is filed under Section 100 of Civil Procedure Code against the Judgment and decree dated 10.09.2007 passed in A.S.No.17 of 2006 on the file of the District Court, Tiruvannamalai confirming the judgment and decree dated 24.02.2006 made in O.S.No.112 of 2004 on the file of the Principal Sub Court, Tiruvannamalai.

For Appellant : Mr.P.Mani
For Respondent : Mr.G.Rajan

JUDGMENT

Today, when the matter is taken up for hearing, the learned counsel appearing for the appellant as well as the respondent filed a Joint Memo of Compromise dated 12.02.2020 before this Court.

2. The terms and conditions of the said Joint Memo of Compromise entered into between the parties concerned are extracted below:

JOINT MEMO OF COMPROMISE FILED BY THE APPELLANT
AND THE RESPONDENT

The appellant and the respondent submit as follows:

1.The respondent herein filed the suit in O.S.No.112 of 2004 on the file of the Principal Sub Court, Tiruvannamalai against the appellant herein for recovery of a sum of Rs.1,22,400/- due on the promissory note dated 30.08.2001. The suit was decreed by the trial Court on 24.04.2006. The appeal filed by the appellant herein in A.S.No.17 of 2006 on the file of the District Court, Tiruvannamalai was dismissed on 10.09.2007. Being aggrieved, the appellant herein filed

the above Second Appeal before this Hon'ble Court and the same is pending.

2 .On the advice of friends and relatives, the appellant and the respondent herein have amicably settled the dispute and the appellant herein already paid a sum of Rs.1,38,780/- (Rupees One Lakh Thirty Eight Thousand Seven Hundred and Eighty only) to the respondent herein in full satisfaction of the decree amount and the respondent hereby acknowledge the receipt of the said amount in full satisfaction of the decree amount. Since the respondent herein received the said amount from the appellant in full satisfaction of the decree passed in O.S.No.112 of 2004 on the file of the Principal Sub Court, Tiruvannamalai, nothing survives in the above Second Appeal and the same may be disposed of as infructuous.

In the foregoing circumstances, it is prayed that this Hon'ble Court may be pleased to record the full satisfaction of the amount decreed in O.S.No.112 of 2004 on the file of the Principal Sub Court, Tiruvannamalai, and dispose of the above Second Appeal as infructuous and render justice.

Dated at Chennai on this the 12th day of February 2020.

3. The said Joint Memo of Compromise dated 12.02.2020 entered into between the parties is hereby recorded and it shall form part of the Judgment. Accordingly, the Second Appeal is disposed of in terms of above said Joint Memo of Compromise dated 12.02.2020. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

To

1.The District Court, Tiruvannamalai.

2. The Sub Court, Tiruvannamalai.

+1 cc to M/s.P.Mani, Advocate,sr.14561.

S.A.No.936 of 2008