

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.01.2020

CORAM:

THE HONOURABLE MR.G.K.ILANTHIRAIYAN

S.A.No.2080 of 2004
and
C.M.P.No.17687 of 2004

1.Krishnapillai (deceased)
2.Lakshmi Ammal
3.Gangabai
4.K.Jayavelu
5.Vasantha
6.Vaenda
7.Rose

..Appellants

(Appellants 2 to 7 brought on record as LRS of the deceased sole Appellant viz., Krishnapillai vide order of court dt.31.01.2019 made in CMP.No.440, 489&496/2019 in SA.No.2080/2004)

Vs.

1.Muthusamy (deceased)
2.Vasuki
3.M.Gopika Ramanan
4.Nirmala
5.Sathya
6.Annapoorani

...Respondents

(RR2 to 6 brought on record as LRS of the deceased sole respondent viz., Muthusamy vide court order dt.31.1.2019 made in CMP.No.440,538 and 542/2019 in SA.2080/2004.)

Prayer: Second Appeal filed under Section. 100 of C.P.C. to set aside the Decree and Judgment passed in A.S.No.70 of 2003 dated 30.07.2004 on the file of the learned Subordinate Judge's Court at Ranipet, Vellore District, and confirm the Decree and Judgment passed in O.S.No.568 of 1995 dated 29.06.2001 on the file of the learned District Munsif cum Judicial Magistrate I, at Wallajah and allow the suit as prayed for.

For Appellant : Mr.D.Aravindan for V.Baskar

For Respondents : R1-died
Mr.R.Chakkravarthy for R2 to R6

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J U D G M E N T

This appeal has been preferred against the judgement and decree dated 30.07.2004, passed in A.S.No.70 of 2003 on the file of the learned Subordinate Judge's Court, Ranipet, Vellore District, confirming the judgment and decree dated 29.06.2001 in O.S.No.568 of 1995 on the file of the learned District Munsif cum Judicial Magistrate I, Wallajah.

2. It is submitted that the sole appellant and respondent died and the LR's impleaded as appellants as well as the respondents in this appeal. Thereafter, they settled the issue between them and they also entered into the Joint Memo of Compromise dated 10.01.2020 and all the parties concerned appeared today before this Court and they also endorsed the settlement arrived between them. According to the said submission and in accordance with the Joint Memo of Compromise, the second appeal is allowed. The Joint Memo of Compromise shall form part of the judgment and decree.

3. Accordingly, the second appeal is allowed. No costs. Consequently, connected Civil Miscellaneous Petition stands allowed.

*Xerox copy of the Joint Memo of compromise enclosed.

Sd/-
Assistant Registrar(CO-MDU)

//True Copy//

Sub Assistant Registrar

Pns

To

1. The Subordinate Judge's Court,
Ranipet, Vellore District.
2. The District Munsif cum Judicial Magistrate I,
Wallajah.
3. The Section Officer,
V.R.Section,
Madras High Court,
Chennai.

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+2cc to Mr.D.Aravindan, Advocate SR.2435
+2cc to Mr.R.Chakkaravarthy, Advocate SR.2436

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RSK (CO)
CB (19/10/2020)



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