



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **11.02.2020**

CORAM:

THE HONOURABLE MR.JUSTICE **R.SUBRAMANIAN**

S.A. (MD) .No.601 of 2019

and

C.M.P (MD) No.12149 of 2019

A.Mohaideen Batcha

... Appellant/Appellant/
Defendant

Vs.

1.Haja Mohaideen
2.Badusa

... Respondents/Respondents/
Plaintiffs

PRAYER: Second Appeal filed under Section 100 of the Civil Procedure Code, to set aside the judgment and decree in A.S.No.45 of 2018 on the file of the Additional District and Sessions Court (FTC), Tenkasi dated 19.08.2019 confirming the judgment and decree in O.S.No.70 of 2014 on the file of the Additional Sub Court, Tenkasi dated 15.11.2017.

For Appellant : Mr.T.S.R.Venkataramana

For Respondents : Mr.Ramesh alias Ramiah

JUDGMENT

Upon mediation, the parties have settled their disputes. The Mediators report along with the terms of compromise signed by the parties has been presented before this Court. The suit is one for partition. The parties have agreed upon the mode of division in the property as among themselves and construction of Wall in between the properties allotted to the parties under the memorandum of compromise. The parties are also present and they have accepted the factum of compromise.

2. In view of the same, the memorandum of compromise is recorded. There will be a final decree in the suit in O.S.No.70 of 2014 in terms of compromise entered into by the parties today. The terms of compromise along with sketch will form part of the final decree. Since the matter will be settled before the mediation, the appellant is entitled to refund of Court fee paid in this appeal.



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S.A.(MD).No.601 of 2019

3. The second appeal is disposed of in terms of compromise decree. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

1.The Additional District and Sessions Judge (FTC),
Tenkasi.

2.The Additional Subordinate Judge,
Tenkasi

copy to

1 The Section Officer,-2 copies
V.R.Section, Madurai Bench of Madras High Court,
Madurai.

2 The Section Officer
Accounts Section
Madurai Bench of Madras High Court,
Madurai. (For refund of Court fee pupose)

3 The Sub Assistant Registrar
CO Department,
Madurai Bench of Madras High Court,
Madurai. (For refund of Court fee pupose)

+1 CC to Mr.S.RAMESH @RAMESH, Advocate (SR-5747[F] dated
12/02/2020)

+1 CC to Mr.T.S.R.VENKAT RAMANA, Advocate (SR-5760[F] dated
12/02/2020)

S.A. (MD) .No.601 of 2019
11.02.2020

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