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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.07.2021

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THE HON'BLE MR.JUSTICE C.SARAVANAN

S.A.No.842 of 2012

and

M.P.No.1 of 2012

(Through Video Conferencing)

P.Ramalingam

...Appellant/Defendant

Vs.

N.Jagannathan

...Respondent/Plaintiff

Second Appeal filed under Section 100 of Civil Procedure Code, 1908 against the Judgment and Decree dated 21.03.2012 made in A.S.No.120 of 2008 on the file of I Additional District Judge, Coimbatore, confirming the Judgment and Decree dated 30.01.2008 made in O.S.No.85 of 2005 on the file of Subordinate Judge, Pollachi.

For Appellant : Mr.P.Saravana Sowmiyan

For Respondent : M/s.K.Ponmani
for M/s.Zeenath Begum

J U D G M E N T

Both the learned counsel for the appellant and the respondent are present. The learned counsel for the appellant submits that the dispute covered by this appeal now stands conclusively settled in terms of the order dated 24.09.2018 passed by the Hon'ble Supreme Court in S.L.P. (Crl.) No.6334 of 2018. The copy of the said order has been filed. The operative portion of the said order reads as under:-

Having heard learned counsel for the parties and on perusal of the record of the case, we direct the petitioner to pay a sum of Rs.5,00,000/- (Rupees Five lakhs) to the respondent in full and final settlement of all claims arising out of the civil and criminal



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proceedings between the parties in relation to transactions in question.

On such amount being paid by the petitioner to the respondent within a period of three months from today, all cases (criminal and civil) filed by the parties against each other in relation to the disputes and transactions in question shall stand disposed of.

We make it clear that in case the amount is not paid by the petitioner as directed by this court, the impugned order shall stand revived and, in addition, the petitioner shall have to face adverse consequences for non-compliance of the order of this court.

On payment being made, all the original documents, if any, which are with respondent, shall be returned to the petitioner.

The special leave petition stands accordingly disposed of in terms of aforesaid directions.

2. It appears that the appellant has also complied with the directions of the Hon'ble Supreme Court by remitting a sum of Rs.5,00,000/- (Rupees Five Lakhs). The copy of the communication dated 06.10.2018 of the Assistant Registrar, Supreme Court of India to the appellant and the respondent is also enclosed herewith. The said communication has reproduced the content of the above order dated 24.09.2018 passed by the Hon'ble Supreme Court.

3. Since the appellant has already complied with the directions of the Hon'ble Supreme Court by remitting the amount of Rs.5,00,000/- (Rupees Five Lakhs), the present appeal is liable to be allowed in terms of the order of the Hon'ble Supreme Court and in view of the compliance of the appellant.

4. Thus, this Second Appeal is liable to be allowed and is hereby allowed. No cost. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar

True Copy//

Sub Assistant Registrar



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To

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1. The I Additional District Judge,
Coimbatore.
2. The Subordinate Judge,
Pollachi..
3. The Section Officer,
V.R. Section,
Madras High Court.

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GP[co]
NSK 18/11/2021