



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

S.A. NO.172 OF 2017

AND

C.M.P. NO.19060 OF 2018

1.Jaya @ Jayalakshmi

2.Balan @ Balasubramani

3.Senthamarai

.. Appellants/Respondents/Defendants

Vs

K.Raja

.. Respondent/Appellant/Plaintiff

Second Appeal filed under Section 100 of Civil Procedure Code, 1908, against the judgment and decree dated 16.08.2016 in A.S. No.19 of 2015 on the file II Additional District & Sessions Court, Salem, reversing the judgment and decree dated 02.12.2014 in O.S. No.429 of 2011 on the file of the Principal Subordinate Court, Salem.

For Appellants : Mr.D.Shivakumaran

For Respondent : Mr.K.Ponmani

JUDGMENT

This second appeal was earlier referred to Lok Adalat by order dated 26.03.2021. The parties appeared before the National Lok Adalat held on 10.04.2021. It appears that the parties have negotiated and arrived at a settlement and the Lok Adalat passed an award on 10.04.2021, recording the compromise. The award was



passed in terms of the compromise memo signed by the parties in the presence of their respective counsels. It is seen that in the compromise memo presented by the parties there is no clause with regard to the disposal of the second appeal. Hence learned counsel appearing for the appellants prays this Court to dispose of the second appeal also in terms of the compromise and the award of Lok Adalat in S.A. No.172 of 2017.

2. Accordingly, the second appeal is disposed of in terms of compromise memo and the petition filed under Order XXIII Rule 3 CPC before the Lok Adalat in S.A. No.172 of 2017. No costs. Consequently, connected miscellaneous petition is closed. Since the second appeal is disposed of in terms of compromise that was signed by the parties in the presence of their respective counsel, the terms of compromise as agreed between the parties and the plan appended to the terms of compromise shall form a part of decree in this Second Appeal.

* Herein enclosed the xerox copy of the memo of compromise and schedule of property.

Sd/-
Assistant Registrar(CS-I)

// True Copy //

Sub Assistant Registrar

bkn

To

1. The Principal Subordinate Judge,
The Principal Subordinate Court,
Salem.
2. The II Additional District & Sessions Court,
Salem.



Copy To

The Section Officer,
V.R.Section,
High Court, Madras.

+1cc to M/s.Zeenath Begum, Advocate, S.R.No.25584

+1cc to M/s.D.Shivakumaran, Advocate, S.R.No.25360

S.A. No. 172 of 2017

SRA(CO)
RLP(04/10/2021)