



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **08.11.2021**

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

S.A(MD)No.45 of 2011

WEB COPY

1.Paramakudi Sourastra Sabha,
Through its President,
Residing at
Paramakudi Town,
Paramakudi.

2.Paramakudi Sourastra Sabha,
Through its Secretary,
Residing at
Paramakudi Town,
Paramakudi.

Kithuva K.Rajaram (died)

3.Kunka K.R.Krishnamoorthy ... Appellants/Respondents/Defendants

(Cause title accepted vide order dated 11.11.2010
made in M.P(MD)No.1 of 2010 in
S.A(MD)SR.No.18816/2010)

Vs.

Manicka S.Lakshmanados
rep.by his Power Agent,
Sithu N.Madhavan.

... Respondent/Appellant/Plaintiff

Prayer: Second Appeal is filed under Section 100 of the Code of Civil Procedure against the judgment and decree dated 25.11.2009, passed in A.S.No.1 of 2009 on the file of the Additional District and Sessions Court, (Fast Track Court), Ramanathapuram, reversing the judgment and decree dated 18.11.2008, passed in O.S.No.19 of 2006 on the file of the Sub Court, Paramakudi.

For Appellants	: Mr.K.Govindarajan
For Respondent	: Mr.S.Manoharan

JUDGMENT

The Judgment and decree passed in A.S.No.1 of 2009 on the file of the Additional District and Sessions Court, (Fast Track Court), Ramanathapuram, are being challenged in the present second appeal.

2.The respondent/plaintiff filed the suit in O.S.No.19 of 2006 for declaration of title and also for injunction. The Trial Court dismissed the suit. Against which, the respondent/plaintiff filed an appeal in A.S.No.1 of 2009 before the first appellate Court. The



first appellate Court allowed the appeal setting aside the Judgment and decree passed by the Trial Court and ultimately decreed the suit as prayed for. Against the Judgment and decree passed by the first appellate Court, the appellants / defendants have filed this second appeal.

3.When the matter was taken up for hearing on 12.12.2018, both the learned counsel represented that there is a possibility of settlement and steps were taken on either side for an amicable settlement. Today, it is represented by the learned counsel for both sides that the matter has been settled between the parties. The learned counsel appearing for the appellant has also filed a memo, dated 21.02.2019, stating that Manicka S.Lakshmanados-the respondent / plaintiff had executed a sale deed for a sum of Rs.2,78,000/- in favour of the President, Sourastra Kalvi Kuzhu, namely, N.S.Krishnamoorthy on 23.01.2019 and that nothing survives for adjudication in the matter.

4.As the respondent had executed a sale deed in favour of the President, Sourastra Kalvi Kuzhu, namely, N.S.Krishnamoorthy on 23.01.2019, nothing survives for adjudication in this matter and the Second Appeal is disposed of. The sale deed, dated 23.01.2019, shall form part of the Judgment. No costs.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

ps

(*) Enclosed herewith The Sale Deed

To

1.The Additional District and Sessions Judge,
Fast Track Court, Ramanathapuram.

2.The Subordinate Judge,
Paramakudi.

Copy to

The Record Keeper, V.R. Section, (2 Copies)
Madurai Bench of Madras High Court, Madurai.

+1CC to Mr.K.Govindarajan, Advocate (SR-33745)

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08.11.2021

RS (09.12.2021) 2P 6C

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