



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.07.2021

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

S.A. (MD)No.769 of 2012

and

M.P(MD) .No.1 of 2012

1. Thangaraj

2. Rangaraj

3. Chandru @ Vishnu Prasath ... Appellants
(Minor third appellant is suo-motu
declared as major and guardianship
of his father (1st appellant) is discharged
vide Court order dated 23.07.2021)

Vs.

1. Selvanayagi ... 1st Respondent/1st Respondent/Plaintiff

2. Chinnathai ... 2nd Respondent/2nd Respondent/4th Defendant

Prayer : Second Appeal filed under Section 100 of Civil Procedure Code, against the judgment and decree rendered in A.S.No.40 of 2007 on the file of the Sub Court, Palani dated 20.06.2011 by confirming the Judgment and Decree rendered in O.S.No.466 of 2004 on the file of the District Munsif Court, Palani dated 08.12.2006.

For Appellants : Mr.M.Thirunavukarasu

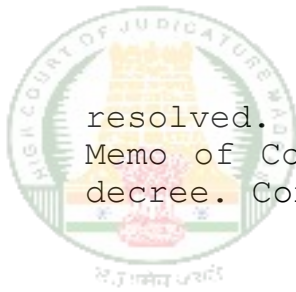
For Respondents : Mr.K.Esaki, For R1.
Mr.V.Ramu, For R2.

JUDGMENT

This Second Appeal arises out of partition proceedings. The first respondent herein namely Selvanayagi filed O.S.No.466 of 2004 on the file of District Munsif Court, Palani, seeking 1/4th share in Schedule 'A' & 'E' and 1/6th share in Schedule 'B'. The suit was rightly decreed by the trial Court and the appeal filed by the appellants herein was dismissed. Challenging the same, the Second appeal came to be filed.

2. Pending the Second Appeal, the parties entered into compromise. Joint Memo of compromise signed by both the parties has been filed before this Court. The parties appeared before the Court

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resolved. The Second Appeal is disposed of in terms of the Joint Memo of Compromise, dated 27.07.2021, which shall form part of the decree. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-I)

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Sub Assistant Registrar(CS)

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Note :In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

1. The District Munsif Court, Palani.
2. The Sub Judge, Palani.

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

+1 CC to M/s.K.ESAKKI, Advocate (SR-24855[F] dated 02/08/2021)

+1 CC to M/s.M.THIRUNAVUKKARASU, Advocate (SR-24835[F] dated 30/07/2021)

+1 CC to M/s.M.O.THEVAN KUMAR, Advocate (SR-25016[F] dated 02/08/2021)

**S.A. (MD) No.769 of 2012
30.07.2021**

sgs (CO)
TR(17.08.2021) 2P 8C