



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.03.2021

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

S.A.(MD).No.1103 of 2006

1.Thangapusam

2.Mariya Arul Dass ... Appellants/Appellants 6&7/
Defendants 6&8

Vs.

1.Chellathangam @ Mariya Cicili (Died)..1st Respondent/1st Respondent
Plaintiff

2.Stella ...2nd Respondent/2nd Respondent/7th Defendant

3.Mariya Shenegappu

4.Rasina

5.Palthagam

6.Mariya Sisili

7.Saradha Bai ...Respondent 3 to 7/Appellants 1
to 5/Defendants 1 to 5

8.S.Joseph

9.Jeya Rajan ... Respondents 8&9

(Respondent Nos.8 and 9 are brought on record as legal representatives of the deceased first respondent vide order of this Court dated 18.02.2021 made in C.M.P.(MD).Nos.1297 and 1298 of 2021 in S.A.(MD).No.1103 of 2006

PRAYER: Second Appeal filed under Section 100 of C.P.C., against the judgment and decree, dated 07.11.2005 made in A.S.No.157 of 2004 on the file of the learned Subordinate Judge, Padmanabapuram, confirming the judgment and decree dated 14.10.2004 made in O.S.No.160 of 2002, on the file of the learned Additional District Munsif, Padmanabapuram and dismiss the suit by allowing the Second appeal.

For Appellants : Mr.M.Punitha Devakumar

For R-8 & R-9 : Mr.R.Vijaya Kumar

R-2, R-4 & R-7 : Dismissed vide Court order dated
13.11.2019

For R-3 : No Appearance

R-5 & R-6 : Tapal returned

R-1 : Died

JUDGMENT

Today, the appellants and the respondents are present before this Court and they were identified by their respective counsels on record. The appellants have entered into compromise with the respondents and both of the parties have filed a 'Compromise Agreement', dated 22.02.2021, which has been duly signed by the appellants and the respondents and also by their respective counsels. A copy of the same has been placed before this Court.

A copy of the Joint Compromise Memo dated 24.02.2021 filed by both



counsels on behalf of their respective parties has also been placed before this Court and the same has also been duly signed by both counsels.

2. The Compromise Agreement, the plan attached with the Compromise Agreement and the Joint Compromise Memo shall form part and parcel of the judgment and decree.

3. In terms of the compromise reached between the parties, the final decree is passed subject to the payment of Court fee by the defendants' sharers.

4. Accordingly, the Second Appeal stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Joint Compromise Memo & Compromise Agreement

tsg

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 Subordinate Judge, Padmanabapuram.

2.The Additional District Munsif, Padmanabapuram.

3.The Record Keeper,

V.R. Section,

Madurai Bench of Madras High Court,

Madurai. 2 Copies

+1 CC to M/s.R.VIJAYA KUMAR, Advocate (SR-10633[F] dated 12/03/2021)

+1 CC to M/s.M.PUNITHA DEVAKUMAR, Advocate (SR-10636[F] dated 12/03/2021)

Judgment made in

S.A. (MD) .No.1103 of 2006

Dated :

11.03.2021

CN(20.05.2021) 2P 7C

<https://hcservices.ecourts.gov.in/hcservices/>