



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **23.02.2021**

CORAM:

**THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR**

**A.S. (MD) .No.156 of 2015**

WEB COPY

1.R.Senthil Ponniah

2.Vasuki

: Petitioners/Appellants

Vs.

Raja

: Respondent/Respondent

Prayer : Appeal is filed under Section 96 of the Code of Civil Procedure praying to set aside the decree and judgment dated 30.10.2014 made in O.S.No.53 of 2013, on the file of the First Additional District Judge, Thoothukudi.

For Appellants

: Mr.P.Thiagarajan

For Respondent

: Mr.S.Kadarkarai

**J U D G M E N T**

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Today, the appellants and the respondent are present before this Court and they were identified by their respective counsels on record. The appellants have entered into a compromise with the respondent and both of the parties have filed a 'Joint Compromise Memo', dated 23.02.2021, which has been duly signed by the appellants and the respondent and also by their respective counsels. A copy of the same has been placed before this Court.

2. In the joint Compromise Memo, it has been stated that the respondent / plaintiff, who is successful before the trial Court, has come to receive a sum of Rs.17,00,000/- (Rupees Seventeen Thousand only) in full quit.

3. Today, the learned counsel appearing for the appellants has given a Demand Draft for a sum of Rs.10,00,000/- (Rupees Ten Lakhs only) bearing No.841228 drawn in the State Bank of India, dated 20.02.2021 and also given another Demand Draft for the remaining sum of Rs.7,000,00/- (Rupees Seven Lakhs only) bearing No.046613, drawn in IDIB Bank, dated 19.02.2021. Both the parties are also confirmed the settlement before this Court.

4. In view of the same, the appeal stands disposed of and the judgment and decree dated 30.10.2014 made in O.S.No.53 of 2013, on the file of the First Additional District Judge, Thoothukudi. is set aside and the Joint Compromise Memo filed by the parties shall form part and parcel of the judgment and decree



5. As the matter has been settled between the parties amicably, the Registry is directed to refund the Court fee as per law.

6. It is also stated by the learned counsel for the respondent that pursuant to the judgment and decree of the trial Court, the respondent / plaintiff has already deposited a sum of Rs.1,00,000/- before the trial Court. In view of the settlement arrived at between the parties, the respondent / plaintiff is permitted to withdraw the entire amount from the trial Court. No costs.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

tsg

To

1.The First Additional District Judge,  
Thoothukudi.

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

+1 CC to Mr.S.KADARKARAI, Advocate ( SR-6829[F] dated 24/02/2021 )

+1 CC to Mr.P.THIYAGARAJAN, Advocate ( SR-7161[F] dated 25/02/2021 )

**Judgment made in  
A.S. (MD) .No.156 of 2015  
Dated: 23.02.2021**

KM (12.03.2021) 2P 6C