



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.10.2021

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

A.S.(MD)No.68 of 2015

and

M.P.(MD)No.1 of 2015

and

C.M.P.(MD)No.7455 of 2021

M.C.Raja Manickam

... Appellant/Defendant

Vs.

T.Jeyachandran

... Respondent/Plaintiff

Prayer : Appeal Suit filed under Section 96 of Civil Procedure Code r/w. Order 41, Rule 1 of the Civil Procedure Code, against the judgment and decree passed in O.S.No.55 of 2012 on 12.12.2014 on the file of the Principal District Court, Ramanathapuram.

For Appellant : Mr.J.M.Hassanul Bazari

For Respondent : M/s.K.Abiya

JUDGEMENT

The defendant in O.S.No.55 of 2012 on the file of the Principal District Court, Ramanathapuram, is the appellant in this appeal suit. The suit was filed by the respondent herein for recovering a sum of Rs.15 lakhs from the appellant with interest. The suit was decreed by the impugned judgment and decree dated 12.12.2014. Challenging the same, this appeal suit came to the filed.

2.When the matter was taken up for hearing, I indicated to the parties that it is a case that is fit for an amicable settlement. I am happy to record that pursuant to the suggestion given by this Court, the parties sat together and compromised the matter. The appellant agreed to pay a sum of Rs.2 lakhs to the plaintiff/respondent. The learned counsel for the appellant shall hand over the demand draft to M/s.K.Abiya, learned counsel for the respondent. The impugned judgment and decree is set aside and the appeal suit is disposed of in terms of the compromise arrived at between the parties. Since the appeal suit has been disposed of based on the compromise, the appellant will be entitled to refund of the Court fee of Rs.1,45,650/-. As per the terms of compromise, the

Registry is directed to refund the said Court fee to the plaintiff.



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No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

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:

The Principal District Judge,
Ramanathapuram.

Copy to:

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

2.The Sub Assistant Registrar
C.O.Section,
Madurai Bench of Madras High Court,
Madurai (for refund of court fee purpose)

+1 CC to M/s.J.M.HASSANUL BAZARI, Advocate (SR-32882[F] dated 27/10/2021)

+1 CC to M/s.K. ABIYA, Advocate (SR-33138[F] dated 28/10/2021)

A.S.(MD)No.68 of 2015
27.10.2021

KMK(CO)
KB(26.11.2021) 2P 7C