



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

A.S.(MD)No.17 of 2017

and

C.M.P.(MD)Nos.1120 of 2017

1.PL.Visalakshi

2.PL.Ramasamy

3.PL.Arunachalam

4.L.Nachiyappan

... Appellants / Defendants

-Vs-

N.N.Swaminathan (Died)

... Plaintiff

1.Nagmmmai

2.N.N.S.Palaniappan (Died)

3.Shanthi

4.Uma

5.Meenal

6.PL.Meenakshi

7.Vidhya Palaniappan

8.Lakshmi Sundar

9.Nagu Palaniappan

10.PL.Ishwarya Palaniappan

... Respondents

\*(CAUSE TITLE,  
ACCEPTED VIDE ORDER DT. 25.01.17  
MADE IN,CMP(MD) NO.604/17 in ASSR 2733/17)

\*\* (RR 6 TO 10 ARE BROUGHT ON RECORD  
AS Lrs OF THE DECEASEDR2 VIDE COURT  
ORDER DT 27.04.2021 IN CMP (MD) 3791 TO 3793/21)

**PRAYER:** Appeal Suit filed under Order 41 Rule 1 & 2 of C.P.C r/w Section 96 of the Civil Procedure Code, against the judgment and decree dated 27.11.2015 in O.S.No.32 of 2009 on the file of the District Judge, Sivagangai.

For Appellant

: Mr.AN.Ramanathan

For Respondents

: Mr.M. Suresh

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

No. 1,3 to 10

**JUDGMENT**

This first appeal is directed against the judgment and decree dated 27.11.2015 on the file of the District Judge, Sivagangai. The plaintiff had filed the said suit for specific performance. During the pendency of the appeal, the plaintiff passed away and his legal representatives were brought on record. One of the legal representatives of the plaintiff had also passed away and his legal heirs have also been brought on record.

2.It is now reported that the matters has been amicably settled. The memo of compromise has also been filed before the Court. The memo of compromise has been signed by the counsel on either side and also the parties. Some of the parties are represented by their power agent. The wife of the plaintiff Nagammai appeared before the Court through video conference. She was duly identified by her counsel Thiru.Suresh. Nagammai informed the Court that they no longer want to pursue the matter and that the issue can be closed by recording the memo of compromise. Her daughter-in-law Meenakshi is also present before this Court through video conference. I am satisfied that the matter has been amicably resolved. It is duly reflected in the memo of compromise. The appeal is accordingly disposed of in terms of the memo of compromise. It shall form part of the appellate decree. Registry to return the original records to the trial Court immediately without delay. The respective parties are at liberty to take back the original documents. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

rmi

To

The District Judge, Sivagangai.

Copy to

The Section Officer,  
Vernacular Records,Madurai Bench of Madras High Court, Madurai. (2C)  
(To return the Original Records)

+1 CC to M/s.AN RAMANATHAN, Advocate(SR-21750[F] dated 08/07/2021)

**A.S. (MD)No.17 of 2017****and****C.M.P. (MD)Nos.1120 of 2017****08.07.2021****RC (04.08.2021) 2P-5C**<https://hcservices.ecourts.gov.in/hcservices/>