



A.S.No.1218 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.02.2022

CORAM:

THE HONOURABLE Dr. JUSTICE G.JAYACHANDRAN

A.S.No.1218 of 2015

A.Kamaraj

.. Appellant/Plaintiff

Vs.

G.Periyasamy

.. Respondent/Defendant

PRAYER: Appeal Suit is filed under Section 96 of C.P.C, to set aside the Judgment and Decree dated 01.06.2015 made in O.S.No.58 of 2014 on the file of the Principal District Court, Krishnagiri.

For Appellant : Mr.N.Manokaran

For Respondent : Mr.J.Hariharan

J U D G M E N T

This is a suit for specific performance. The plaintiff, who lost the suit, had preferred an appeal before this Court.



A.S.No.1218 of 2015

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2. Pending appeal, the parties have entered into a compromise and a Joint Memo of Compromise has been filed to that effect. Wherein, the respondent herein has agreed to refund the advanced amount of Rs.10,45,000/- with interest at the rate of 12% per annum from the date of agreement till 27.02.2022, which arrives to a total sum of Rs.21,10,900/-. The said amount will be paid in four equal monthly installments commencing from the last week of March 2022. Affidavit of undertaking is also filed by the respondent along with the Joint Memo of Compromise signed by the parties and their respective counsels on 24.02.2022. Both the parties are present before this Court physically and identified their respective counsels.

3. Recording the settlement arrived between the parties, the Appeal Suit is disposed of in terms of compromise. The Joint Memo of Compromise dated 24.02.2022 shall form part of the decree. No costs.



A.S.No.1218 of 2015

WEB COPY

4. Since the matter has been settled out of Court, the appellant is entitled for refund of Court fee. The Registry shall refund the Court fee as per law.

24.02.2022

Index : Yes/No

Internet : Yes/No

rpl

To

The Principal District Court, Krishnagiri.



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A.S.No.1218 of 2015

DR.G.JAYACHANDRAN,J.

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A.S.No.1218 of 2015

24.02.2022