



A.S.No.633 of 2016

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.10.2022

CORAM

THE HONOURABLE MRS. JUSTICE **R.HEMALATHA**

A.S.No.633 of 2016

and

CROS. OBJ. No.48/2018

& CMP No.18059 of 2016

A.S. No.633 of 2016

Mohan Kumarasamy

...Appellant

Vs.

1. Velusamy
2. Subbathal (died)
3. Karunaiammal
4. Boodevi @ Poongodi
5. Selvaraj
6. Nagaraj
7. Lakshmi
Respondents

...

RR7 brought on record as LR's of the deceased 2nd respondent viz., (Subbathal) vide court order dated 11.10.2022 made in CMP No.4028/2020.

Cross Objection No.48 of 2018

Nagaraj

...Cross Objector

Vs.

Page 1 of 4



A.S.No.633 of 2016

WEB COPY

1. Mohan Kumarasamy
2. Velusamy
3. Subbathal
4. Karunaiammal
5. Boodevi @ Poongodi
6. Selvaraj

...Respondents

Prayer in A.S. No.633 of 2016: First Appeal filed under Section 96 CPC against the decree and judgment dated 28.04.2016 made in O.S. No.542/2006 on the file of the I Additional District and Sessions Court, Coimbatore.

Prayer in Cross Objection No.48 of 2018 : Cross Objection filed under Order 41 Rule 22 CPC praying to set aside the decree and judgment dated 28.04.2016 made in O.S. No. 542 of 2006 on the file of the I Additional District Judge, Coimbatore.

For Appellant : Mr. T.S. Baskara
For R5 & 7 : Mr.C. Ramaraj
R1, R3 & R4 : Mr. S. Vinoth Kumar
For R6/Cross Objector : Mr. Tranquebar Dorai Vasu

JUDGMENT

All the parties, except the 6th respondent namely, R. Nagaraj are present today before this Court. Learned Counsels for the appellant as well as the respondents are present before this Court.



A.S.No.633 of 2016

WEB COPY

2. A compromise Memo dated 31.08.2022 duly signed by all the parties and their counsels is filed. Both the parties accepted the terms of Compromise. Hence the Joint Memo of Compromise is recorded.

3. Cross Objection in the present appeal suit was filed by the 6th respondent, Nagaraj. The learned counsel for the 6th respondent sought permission of this Court to withdraw the Cross Objection and also made an endorsement to that effect. Hence, the Cross Objection is dismissed as withdrawn.

4. The Appeal Suit in A.S. No.633 of 2016 is disposed of as per the terms of Joint Memo of Compromise recorded. The Joint Memo of Compromise shall form part of the decree in A.S. No.633 of 2016. No costs. Consequently, connected miscellaneous petition is closed.

20.10.2022

Index: Yes/No
Internet: Yes/No
Speaking/Non-Speaking order
bga

Page 3 of 4



WEB COPY



A.S.No.633 of 2016

R. HEMALATHA, J.
bga

To

1. The I Additional District and Sessions Judge, Coimbatore.
2. The Section Officer, VR Section, High Court, Madras.

A.S.No.633 of 2016
and
CROS. OBJ. No.48/2018
& CMP No.18059 of 2016

20.10.2022