



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.03.2022

CORAM

THE HONOURABLE MRS.JUSTICE R.HEMALATHA

S.A.No.123 of 2006

State Bank of India

...Appellant

(A body corporate constituted under the Provisions of the State Bank of India Act 1955 (23 of 1955) and the successor to the State Bank of Bikaner and Jaipur under the Acquisition of State Bank of Bikaner and Jaipur order No.G.S.R.156(E) dated 22nd February 2017 passed by Central Government under Section 35 of the State Bank of India Act 1955 (23 of 1955) through the Branch Manager and having Luz Branch, No.164, Cutchery Road, Mylapore, Chennai 600 004)

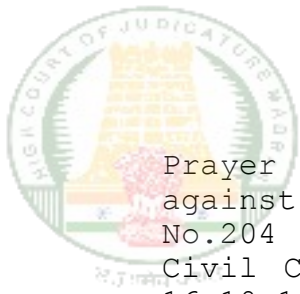
(The Appellant Bank name amended as State Bank of India vide Court order dated 20.10.2021 made in CMP.13187/21 in S.A.No.123/2006)

Vs.

1. S. Rajendran (died)
2. Demco Marketing Pvt. Ltd.
Rep. by Director
Padmanabhan
No.262, Lloyds Road,
Gopalapuram, Chennai 600 086.
3. Buyers Benovelent Corporation
No.262, Lloyds Road,
Gopalapuram, Chennai 600 086.
4. S.A. Padmanabhan
5. S. Ruckmani
6. R. Premanayagam
7. Kothai Nayagi
8. Selvi Kirthika
9. Naresh Kumar

...Respondents

RR7 to 9 brought on record as legal heirs of the deceased R1 viz. S. Rajendran vide court order dated 14.03.2022 made in CMP Nos.21446, 21448 & 21449/2021.



Prayer : Second Appeal filed under Section 100 of CPC, 1908 against the decree and judgment dated 31.12.2004 passed in A.S. No.204 of 2004, on the file of the VI Additional Judge, City Civil Court, Chennai, reversing the decree and judgment dated 16.10.1998 passed in O.S. No.6682 of 1996, on the file of the XVII Assistant Judge, City Civil Court, Chennai.

For Appellant : Mr. N. Kishore Kumar
For R2 to R6 : No appearance
For R7 to R9 : Mr.L. Damodaran

JUDGMENT

A Memo of Compromise dated 14.03.2022 has been filed in the present appeal signed by both the appellant and the respondents 7 to 9 and their respective counsels. The same is hereby recorded.

2. In view of the same, the second appeal is disposed of as per the terms of Compromise Memo recorded. The Compromise Memo shall form part of the decree in this second appeal. No costs.

3. The counsel for the respondents 7 to 9 has filed a memo requesting for the return of documents marked as Ex.A7 to Ex.A9 in the suit in O.S. No.6682 of 1996 on the file of the XVII Assistant Judge, City Civil Court, Chennai, to the respondents 7 to 9. Since the parties had entered into compromise and the appellant also did not raise any objection to return the abovesaid documents to the respondents 7 to 9, the Registry is directed to return the documents marked as Ex.A7 to Ex.A9 in the suit in O.S. No.6682 of 1996 on the file of the XVII Assistant Judge, City Civil Court, Chennai, to the respondents 7 to 9 under proper acknowledgement by replacing it with the certified copies of the same in the case bundle. Accordingly, the respondents 7 to 9 are directed to obtain certified copies of the abovementioned documents and produce the same before the Registry for getting back the original documents.

* Xerox copy of the
Memo of Compromise
dated 14.03.2022
Enclosed herewith.

Sd/-
Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

bga



To

1. The VI Additional Judge,
City Civil Court, Chennai.

2. The XVII Assistant Judge,
City Civil Court, Chennai.

3. The Section Officer,
VR Section, High Court,
Madras.

+1cc to Mr.N.Kishore Kumar, Advocate, S.R.No.17495

+1cc to Mr.L.Dhamodharan, Advocate, S.R.No.17507

S.A.No.123 of 2006

SPD(CO)
RGA(31/03/2022)