



A.S.No.772 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.03.2022

CORAM :

**THE HON'BLE MR. JUSTICE M.DURAI SWAMY
AND
THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI**

**A.S.No.772 of 2019
and C.M.P.No.23384 of 2019**

1.P.Anbu

2.A.Vennila

.. Appellants

Vs.

1.M.Vijay Anand

2.C.Kanniyalal

.. Respondents

Appeal filed under Section 96 of the Code of Civil Procedure r/w Order 41 Rules 1 & 2 of the Code of Civil Procedure against the decree and judgment dated 29.04.2019 in O.S.No.42 of 2017 (District Court O.S.No.52 of 2015) passed by the Additional District Judge, FTC, Arni, Thiruvannamalai District.

For Appellants : Mr.A.Panneerchelvam

For Respondents : Mr.K.Kannan (R1)
Mr.B.Balaji (R2)



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J U D G M E N T

(JUDGMENT WAS MADE BY M.DURAISWAMY, J.)

Mr.A.Panneerchelvam, learned counsel appearing for the appellants, Mr.K.Kannan, learned counsel appearing for the 1st respondent and Mr.B.Balaji, learned counsel appearing for the 2nd respondent submitted that the parties had entered into a compromise and also executed a Memorandum of Compromise dated 24.02.2022, hence, the appeal may be disposed of in terms of the said Memorandum of Compromise.

2.The learned counsel on either side produced the copy of the joint Memorandum of Compromise dated 24.02.2022 signed by the appellants and the respondents and also by their respective learned counsels.

3.The learned counsel for the appellants and the learned counsel for the 1st respondent submitted that the parties have appeared before them and signed the Memorandum of Compromise. The learned counsel for the 2nd respondent submitted that since the 2nd respondent is aged 80 years, he could not come over to Chennai, however, he got instructions from the 2nd



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respondent to the effect that he had also signed the Memorandum of Compromise.

4.The Memorandum of Compromise dated 24.02.2022 filed by the learned counsel on either side is taken on record.

5.In view of the submissions made by the learned counsel on either side, the Appeal is disposed of in terms of the Memorandum of Compromise dated 24.02.2022. The terms of the compromise shall form part of the decree in the above Appeal. No costs. Consequently, the connected miscellaneous petition is closed.

Index : Yes/No
va

[M.D., J.] [T.V.T.S., J.]
03.03.2022



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and
T.V.THAMILSELVI, J.**

va

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