



A.S.(MD)No.58 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.09.2022

CORAM:

THE HON'BLE MR.JUSTICE **K.MURALI SHANKAR**

A.S.(MD)No.58 of 2022
and
C.M.P.(MD)No.2309 of 2022

1. Damotharan

2. S.Balasundari

... Appellants/Respondents/Defendants

Vs.

S.Kalyanakumar

... Respondent/Petitioner/Plaintiff

Prayer : This Appeal Suit filed under Section 96 of Civil Procedure Code, to allow the appeal and set aside the order dated 30.08.2017 passed in I.A.No. 586 of 2015 in O.S.No.166 of 2013 by the learned V Additional District Judge, Madurai and dismiss the application for passing final decree as prayed for with costs throughout.

For Appellants : Mr.M.Rajaraman

For Respondent : Mr.S.Manohar



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JUDGMENT

This Appeal Suit is directed against the final decree passed in I.A.No.586 of 2015 in O.S.No.166 of 2013 dated 30.08.2017 on the file of the learned V Additional District Judge, Madurai.

2. The learned counsel for the appellants as well as the respondent would submit that both the parties entered into a compromise and that they have also filed a compromise memo dated 24.08.2022 before this Court, duly signed by all the parties along with their respective counsel on record.

3. The learned counsel for the appellants would submit that the second appellant is now aged 72 years and she is having high blood pressure and she is get bedridden and hence, she has filed an affidavit admitting the terms of the compromise and also expressed her inability to attend this Court.

4. When the matter is taken up for hearing today, the first appellant and the respondent have appeared before this Court and both of them admitted and accepted the terms of the compromise.



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5. The learned counsel on either side represented that the Appeal Suit may be disposed of in terms of Joint Compromise Memo, dated 24.08.2022. The Joint Compromise Memo filed by the parties is recorded.

6. Accordingly, this Civil Miscellaneous Appeal is disposed of in terms of the Joint Compromise Memo, dated 24.08.2022, filed by the both parties and the same shall form part and parcel of this judgment. No costs. Consequently, connected miscellaneous petition is closed.

13.09.2022

Index :yes/No
Internet:yes/No
csm



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K.MURALI SHANKAR,J.

csn

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