



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATE : 08.11.2022

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THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

A.S. (MD)No.195 of 2018
and
C.M.P. (MD) .No.11496 of 2018

S.Kumar : Appellant /Defendant

Rep.through his power of attorney R.Sunitha,
W/o.Kumar,
Door.No.31/100B, Valiavilaiveedu,
Karumpilavilai, Puthukkadai Post,
Kunnathoor Village, Vilavancode Taluk,
Kanyakumari District.

Mrs.R.Sunitha is permitted to represent the
appellant as his power holder, vide Court order
dated 01.11.2022 made in CMP. (MD)No.8827/2022 in
A.S. (MD)No.195 of 2018)

Vs.

T.Kilitus : Respondent/Plaintiff

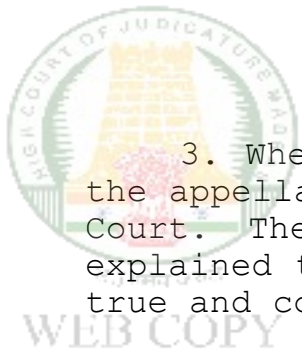
PRAYER:- Appeal Suit filed under Section 96 of the Code of Civil Procedure, to set aside the judgment and decree, dated 26.02.2016 passed in O.S.No.76 of 2015 on the file of the District Judge, Kanyakumari District at Nagercoil and allow the present appeal.

For Appellant : Mr.M.R.Sreenivasan,
For Respondent : Mr.T.Selvan.

J U D G M E N T

This Appeal Suit is directed against the Judgment and Decree passed in O.S.No.76 of 2015, dated 26.02.2016 on the file of the learned District Judge, Kanyakumari District at Nagercoil.

2. The learned counsel for the appellant as well as the respondent would submit that both the parties entered into a compromise and that they have also filed a Joint Compromise Memo, dated 07.11.2022, before this Court, duly signed by the parties along with their respective counsel on record.



3. When the matter is taken up for hearing today (08.11.2022), the appellant and the respondent have appeared in person before this Court. The contents of the Compromise Memo are read over and explained to both the parties and they would admit that the same as true and correct.

4. The learned counsel on either side represented that the Appeal Suit may be disposed of in terms of Joint Compromise Memo, dated 07.11.2022. The Joint Compromise Memo filed by the parties is recorded.

5. Accordingly, this Appeal Suit is disposed of in terms of the Joint Compromise Memo, dated 07.11.2022. Joint Compromise Memo shall form part and parcel of this Judgment. **(*)Registry is directed to refund the entire Court fee to the appellant.** No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/01/2023

Sub Assistant Registrar(CS)

das

ENCL: XEROX OF JOINT COMPROMISE MEMO

To

Substituted as per the order of this Hon'ble Court dated 15/11/2022 made in AS(MD).195/2018.

1.The District Judge, Kanyakumari District at Nagercoil

2.The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.

Copy to:

1.The Section Officer,
Accounts & Bills Section,
Madurai Bench of Madras High Court,
Madurai.

2.The Sub Assistant Registrar,
CO Section,
Madurai Bench of Madras High Court,
Madurai.



A.S.(ML)



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+1 CC to M/s.T.SELVAN, Advocate (SR-54042[F] dated 10/11/2022)

+1 CC to M/s.M.R.SREENIVASAN, Advocate (SR-54104[F] dated 10/11/2022)

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and
C.M.P. (MD) .No.11496 of 2018
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