



S.A.No.1232 of 1998

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.12.2022

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

S.A.No.1232 of 1998

and

C.M.P.(MD) No.12417 of 2022

1.S.Maruthamuthu Gounder (Died) ... Appellant/Respondent/
Plaintiff

2.M.Ramasamy

3.Thangavelu ... Appellants 2 & 3

Vs

1.Ramayammal (Died)

2.M.Kannammal (Died)

3.P.Kanniappa Gounder (Died)

4.Nallammal (Died)

5.P.Maruthayiammal (Died)

6.Kanniammal ... Respondents/Appellants/
Defendants

*[RR2, 3 & 6 – recorded as LRs of the deceased 1st
respondent vide order dated 11.04.2017 made in
M.P.(MD) No.4 of 2011 in S.A.No.1232 of 1998]*

7.Ramathal ... 7th Respondent



S.A.No.1232 of 1998

WEB COPY

[Appellants 2 & 3 and the 7th respondent – brought on record as LR of the deceased sole appellant vide order dated 11.11.2011 made in M.P.(MD) Nos.1 to 3 of 2011 in S.A.No.1232 of 1998]

8.A.Karuppasamy

9.A.Palanisamy

10.M.Lakshmi

11.Malayala Selvam

12.Kannammal

... Respondents 8 to 12

[RR8 to 10 – brought on record as LR of the deceased 4th respondent in M.P.(MD) Nos.5 to 7 of 2011 and RR11 and 12 – brought on record as LR of the deceased 5th respondent in M.P.(MD) Nos.8 to 10 of 2011 vide order dated 03.04.2019]

13.K.Manimegalai

14.K.Selvaraj

... Respondents 13 & 14

[RR13 & 14 – brought on record as LR of the deceased 3rd respondent vide order dated 03.02.2022 made in C.M.P.(MD) Nos.748, 749 & 750 of 2022 in S.A.No.1232 of 1998]

15.Dhandapani

... 15th Respondent

[R15 – brought on record as LR of the deceased 2nd respondent vide order dated 03.02.2022 made in C.M.P. (MD) Nos.751, 752 & 753 of 2022 in S.A.No.1232 of 1998]



S.A.No.1232 of 1998

WEB COPY

Prayer:- Appeal filed under Section 100 of Civil Procedure Code to set aside the judgment and decree dated 15.03.1996 made in O.S.No.679 of 1995 on the file of the District Munsif Court, Vendasendur as reversed by judgment and decree dated 22.01.1998 made in A.S.No.177 of 1996 on the file of the Principal District Court, Dindigul.

For Appellants : Mr.A.Sivaji

For RR6 & 15 : Mr.V.Ragavachari

J U D G M E N T

C.M.P.(MD) No.12417 of 2022 has been filed to record the compromise entered into between the parties and the contesting 6th and 15th respondents.

2. It is stated by the learned counsel for the petitioners as well as the learned counsel for the contesting 6th and 15th respondents that the parties have entered into a compromise on 02.02.2022 settling the dispute in the second appeal. Both of them have jointly made a request to record the compromise. It is also submitted that respondents 6 and 15 alone are



S.A.No.1232 of 1998

contesting respondents in the second appeal and other respondents are only formal parties. Appellants 2 and 3 and respondents 6 and 15 appeared before this Court identified by their respective counsel. They also acknowledged the compromise memo entered between them on 02.02.2022.

3. Accordingly, the compromise memo dated 02.02.2022 filed along with C.M.P.(MD) No.12417 of 2022 is recorded. Consequently, C.M.P.(MD) No.12417 of 2022 is allowed.

4. The Second appeal is disposed of as per the terms of the compromise memo. The compromise memo filed by the parties shall form part of the decree. The Registry is directed to send the original records to the Courts below immediately. No costs.

15.12.2022

Note: Issue order copy on 19.12.2022.

Internet: Yes

Index: Yes/No

abr



S.A.No.1232 of 1998

WEB COPY

To

- 1.The District Munsif,
Vedasendur.
- 2.The Principal District Judge,
Dindigul.
- 3.The Section Officer, VR Section,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



S.A.No.1232 of 1998

S.SOUNTHAR, J.

abr

S.A.No.1232 of 1998

15.12.2022