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A.S.No.1 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.10.2023

CORAM

THE HON'BLE MRS. JUSTICE K.GOVINDARAJAN THILAKAVADI

A.S.No.1 of 2016
and
C.M.P.No.156 of 2016

1.Zakkariya

2.Fathima Bee

... Appellants

Versus

1.Fathima

2.N.AbdulHameed

3.Mohammed Abubacker

4.Ameedha Bee

... Respondents

Prayer: The First Appeal filed under Section 96 of the Code of Civil Procedure, to set aside the Judgment and Decree in O.S.No.22/2014, dated 21.09.2015 on the file of the IV-Additional District Judge, Ponneri.

For Appellants : Ms.R.Kamala Rani
For Respondents : Mr.M.R.Sheik Abdul Rahim



A.S.No.1 of 2016

JUDGMENT

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When the case came up for hearing, the learned Counsel appearing for the appellants submitted that the entire amount had been settled to the respondents. A compromise memo is also filed on 31.10.2023. The learned Counsel for the respondents is also present in Court.

2. The memo of compromise dated 31.10.2023 signed by the respective parties and their respective counsel is taken on record.

3. The respondents 1 to 4 are directed to withdraw the amount available before the learned IV Additional District Judge, Ponneri.

4. Memo of Compromise filed by the respective parties in terms of compromise. The decree and judgment passed in O.S.No.22 of 2014 dated 21.09.2015 is set aside to the extend of the Settlement Deed executed in favour of the 2nd appellant/defendant as null and void.

5. The Trial Court is directed to pass final decree in favour of the 2nd appellant and respondents 1 to 4 as per the terms of compromise. Accordingly, decree is passed in terms of compromise. The compromise memo shall form part of the decree.



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6. In the light of the above compromise memo, First Appeal is disposed of. Consequently, connected Civil Miscellaneous Petition is also closed. No costs.

31.10.2023

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Index: Yes/No

Speaking Order : Yes/No

To

1. The IV-Additional District Court, Ponneri.

K.GOVINDARAJAN THILAKAVADI,J.

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