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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.11.2023
CORAM

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

S.A.No.552 of 2010
and
M.P.No.1 of 2010

N. Ravi

...Plaintiff

Vs

R. Kumar
Respondent

...

Prayer: This second Appeal is filed under Section 100 of C.P.C against the Judgment and Decree in A.S.No.15 of 2009 dated 26.11.2009 on the file of the Principal District Judge, Villupuram confirming the Judgment and Decree in O.S.No.76 of 2007 dated 30.01.2009 on the file of the principal subordinate Judge, Villupuram.

For Appellants

:M/s.N. Suresh

For Respondent

: Mr.C. Prabhakaran



JUDGEMENT

Both the appellant and the defendant along with their counsel present. They filed a joint compromise memo. The terms of Joint compromise memo is as follows:

- 1. The Appellant/defendant agreed to pay a sum of Rs.5,00,000/- (Rupees Five Lakhs only) in full quit within a period of six months from this date.*
- 2. The respondent/plaintiff agrees that the undertaking given by the appellant/defendant may be recorded and the suit may be decreed for a sum of Rs.5,00,000/- (Rupees Five Lakhs only) in full quit which shall be paid by the appellant/defendant within a period of six months.*
- 3. In terms of the above, the joint compromise may be recorded and decree may be passed.*

2. Both side counsel would submit that they agreed to compromise the issue based upon the above terms.



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3. Having considered the submission of either side counsel and having considered the Memo of Compromise dated 20.11.2023, this second appeal is disposed of and the compromise memo is forms part of the decree. No order as to Costs. Consequently the connected miscellaneous petition is closed.

4. At this juncture both side counsel invite the attention of this Court in respect of the amount deposited before the Principal Subordinate Court, Villupuram in pursuance of the order of this Court dated 22.06.2010.

5. In view of the compromise arrived between the parties as indicated above, the respondent is entitled to withdraw the said amount along with interest by filing an appropriate application before the concerned Court.

20.11.2023

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Index : Yes/No

Speaking order/non-speaking order

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C.KUMARAPPAN, J.,

smn

To,

1. The Principal District Judge, Villupuram
2. The Principal Subordinate Judge, Villupuram.

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