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O.S.A.Nos.225 and 226 of 2



THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.12.2023

CORAM:

THE HONOURABLE MR. JUSTICE R.SUBRAMANIAN
AND
THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

O.S.A.Nos.225 and 226 of 2015
and all the connected Miscellaneous Petitions

OSA.No.225 of 2015:

1.Gemini International,
A registered Partnership Firm
Rep. by its Managing Partner,
A.P.Dwarakanath,
No.80, Ramasamy Street,
Mannady, Chennai – 600 001.

2.A.P.Dwaraknath (Died)

3.D.Mahesh

4.Kasturi Dwaraknath

[Appellants 3 and 4 are the legal representatives of the deceased 2nd appellant viz., A.P.Dwaraknath, who are already on record. Memo filed on 05.07.2022 and recorded on the same day.]

5.A.P.Mani

6.A.L.Balasubramanian

...Appellants

1/6



Vs.

1.Mohana Prasad

2.N.M.Moorthy

...Respondents

Prayer: Original Side Appeal filed under Order VI Rule 9 of the Original Side Rules read with Clause 15 of the Letters Patent, to set aside the order and decretal order dated 10.06.2015 passed in Appln.No.5697 of 2009 in C.S.No.946 of 2009 as amended by order dated 02.07.2015.

For Appellants : Mrs.R.Ramya

For Respondents : R1 – Served – No appearance
R2 – Given up

OSA.No.226 of 2015:

1.Gemini International,
A registered Partnership Firm
Rep. by its Managing Partner,
A.P.Dwarakanath,
No.80, Ramasamy Street,
Mannady, Chennai – 600 001.

2.A.P.Dwaraknath (Died)

3.D.Mahesh



4.Kasturi Dwaraknath

[Appellants 3 and 4 are the legal representatives of the deceased 2nd appellant viz., A.P.Dwaraknath, who are already on record. Memo filed on 05.07.2022 and recorded on the same day.]

5.A.P.Mani

6.A.L.Balasubramanian

Vs.

...Appellants

1.Kasthuri Pandarinath (Deceased)

2.N.M.Moorthy

3.Murali

4.Padmanabhan

[Respondents 3 and 4 brought on record as the legal representatives of the deceased 1st respondent vide Court order dated 23.06.2023 made in CMP.No.8710 of 2023]

...Respondents

Prayer: Original Side Appeal filed under Order VI Rule 9 of the Original Side Rules read with Clause 15 of the Letters Patent, to set aside the order and decretal order dated 10.06.2015 passed in Appln.No.5694 of 2009 in C.S.No.947 of 2009 as amended by order dated 02.07.2015.



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For Appellants : Mrs.R.Ramya

For Respondents : Mr.D.Ravichander for R3 and R4
R2 – Given up
R1 – Died

COMMON JUDGMENT

(Judgment of the Court was delivered by **R.SUBRAMANIAN, J.**)

The joint compromise memos signed by the parties and their respective counsel have been placed before us. The parties have agreed to resolve the dispute between them in the manner suggested in the compromise. The parties are present and they affirmed the factum of compromise.

2. Recording the compromise, the appeals are allowed and the decree granted by admission in C.S.Nos.947 & 946 of 2009 are set aside. The parties will bear their respective costs. The parties have also agreed to withdraw all the suits filed against each of them. The compromise memos shall form



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part of the decree. Consequently, the connected miscellaneous petitions, if any, are closed.

(R.S.M.,J.) (N.S.,J.)
11.12.2023

dsa
Index :No
Internet :Yes
Neutral Citation :No
Speaking order



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O.S.A.Nos.225 and 226 of 2

R.SUBRAMANIAN, J.
and
N.SENTHILKUMAR, J.

dsa

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