



C.M.S.A.No.59 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.09.2023

CORAM :

THE HON'BLE MR. JUSTICE P.VELMURUGAN

C.M.S.A.No. 59 of 2021

and

C.M.P.No.11174 of 2021

Mohana Geetha

... Appellant

Vs.

1.Veluchamy

2.S.Vijayalakshmi

... Respondents

Civil Miscellaneous Second Appeal filed Section 100 C.P.C to set aside the fair and final order dated 05.10.2020 made in C.M.A.No.03 of 2015 on the file of the learned Subordinate Judge, Bhavani reversing the judgment and order dated 16.06.2015 made in E.A.No.173 of 2013 in E.P.No.46 of 2010 in O.S.No.298 of 2006 on the file of the learned Principal District Munsif, Bhavani.

For Appellant : Mr.S.Bharanidharan

For Respondents : Mr.M.Ragul Kousik for R1
No appearance for R2



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J U D G M E N T

This Civil Miscellaneous Second Appeal is filed against the judgment dated 05.10.2020 passed in C.M.A.No.03 of 2015 on the file of the Subordinate Court, Bhavani, reversing the order and decree dated 16.06.2015 made in E.A.No.173 of 2013 in E.P.No.46 of 2010 in O.S.No.298 of 2006 on the file of the learned Principal District Munsif Court, Bhavani.

2. When the matter was came up for hearing on 27.09.2023, after hearing both sides, this Court found that there is a possibility of settlement between the parties and advised the parties to settle the matter and the appeal was directed to be listed on 29.09.2023 (today).

3. Today, when the matter is taken up for hearing, the appellant as well as the learned counsel for the appellant and the respondents are present and after deliberation, they agreed for the settlement. The learned counsel for the appellant submitted that the appellant is willing to pay the



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entire decree amount along with interest i.e. Rs.1,84,677/- within a period of four months from today and he has also made an endorsement to that effect and the appellant also endorsed the same.

4. In view of the submissions and endorsement made by the learned counsel for the appellant and the appellant, this Civil Miscellaneous Second Appeal is allowed on payment of Rs.1,84,677/- on or before 28.12.2023 and in the event of failure to pay the said amount, this appeal shall stand dismissed automatically, without any further reference to this Court and the respondents are at liberty to proceed with the Execution Proceedings. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

29.09.2023

Index: Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
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- 1.The Subordinate Judge,
Bhavani.
- 2.The Principal District Munsif,
Bhavani.
- 3.The Section Officer,
V.R.Section,
High Court, Madras.



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P.VELMURUGAN, J.

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