



A.S.No.650 of 2019  
and CMP.No.4092 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 14.07.2023

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

**A.S.No.650 of 2019**  
**and**  
**CMP.No.4092 of 2020**

P.Subbiahsamy

.. Appellant

Vs.

N.SenthilKumar

.. Respondent

**PRAYER :** Appeal Suit is filed under Section 96 read with Order XLI Rule 1 of the Code of Civil Procedure, against the Judgement and Decree dated 20.04.2018 made in O.S.No.103 of 2015, on the file of the II Additional District and Sessions Court, Tiruppur District.

For Appellant : Mr.S.Shanmugasundaram

For Respondent : Mr.K.Premkumar

**J U D G M E N T**

The appeal has been filed to set aside the Judgment and Decree dated 20.04.2018 made in O.S.No.103 of 2015, on the file of the II Additional District and Sessions Court, Tiruppur District.



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2. Heard, Mr.S.Shanmugasundaram, learned counsel for the appellant and Mr.K.Premkumar learned counsel for the respondent and perused the materials available in the record.

3. When the matter is taken up for hearing, final settlement was arrived among the parties. The appellant appeared in person along with his counsel and the learned counsel for the respondent also appeared. Already compromise was suggested among the parties. Accordingly, the appellant is agreed to pay a sum of Rs.14 lakhs to the respondent through cheque and the said cheque is also given to the learned counsel for the respondent today i.e,14.07.2023 in the open Court and xerox copy of the cheque also produced before this Court. To that effect, memo is recorded, full and final settlement of the suit claim for a sum of Rs.14 lakhs was paid to the respondent through cheque dated 14/07/2023, Cheque No:047605, Bank Name:Indian Overseas Bank, Amt.14,00,000/-(Rupees Fourteen Lakhs only). At the request of the learned counsel for the appellant, the respondent is hereby directed not to make any other claims and in any other mode of law, as dispute between them



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has been settled in toto and the entire appeal is also disposed of before this Court.

4. Since the matter is settled out of Court, the plaintiff is permitted to withdraw half of the Court fee paid by him before the trial Court, by filing appropriate application. The appellant is also entitled for refund of the entire Court fee paid before this Court.

5. Accordingly, the appeal suit is dismissed as settled out of Court. Consequently, connected Miscellaneous petition is closed. No costs.

**14.07.2023**

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Index : Yes/No  
Speaking Order: Yes/No  
Neutral Citation: Yes/No



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**T.V.THAMILSELVI, J.**

rr

To

1.The II Additional District and Sessions Judge,  
Tiruppur, Tiruppur District.

2.The Section Officer,  
VR section, High Court of Madras.

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