



S.A. No. 486 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.09.2023

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THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

S.A. No.486 of 2019
and
C.M.P.No. 7873 of 2019

Selvapandian,
S/o. Vijayarangam

... Appellant

Versus

P.Thiyagarajan,
S/o. Pattabiraman

... Respondent

Prayer:- Second Appeal has been filed under Section 100 C.P.C., against the judgment and decree dated 02.07.2018 passed in A.S.No. 11 of 2017 on the file of the learned Sub-Judge, Puducherry confirming the judgment and decree dated 29.11.2016 passed in O.S.No.1210 of 2008 on the file of the learned I Addl. District Munsif, Puducherry.

For Appellant : Mr.Prakash Adiapadam

For Respondent : Mr.U.Karunakaran



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JUDGEMENT

WEB COPY Yesterday, when the matter taken up for hearing, both parties as well as their counsels appeared in person and agreed to arrive a compromise and also accepted to file a joint affidavit. Accordingly, the matter was adjourned.

2. Today, when the matter taken up for hearing, both the learned counsel for appellant and respondent appeared. A joint affidavit was filed by appellant and respondent for the terms arrived between them and prayed to pass a decree in terms of the said compromise in the above Second Appeal.

3. Considering the facts and circumstances of the case and the fact that they have settled the issue and to that effect, a joint affidavit was filed by the appellant and respondent and the same is recorded. Considering the same, these Appeal Suits are disposed of in terms of compromise on the following terms and conditions:-

“In view of the compromise between the parties, the appellant



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agreed to pay Rs.15,00,000/- (Rupees fifteen lakhs only) towards the arrear of rent payable to the respondent is full and final settlement and agreed to purchase the suit 'B' schedule property i.e. 600 sq.ft. at the rate of Rs.20,500 per sq.ft. within 3 months from today, 12.09.2023.

The respondent also agreed for the same to receive Rs.15,00,000/- (Rupees fifteen lakhs only) towards the rent and receive the sale consideration at the rate of Rs.20,500 per sq.ft. for 600 sq.ft. for the 'B' schedule property within 3 months from 12.09.2023.

The appellant paid Rs.10 lakhs today and the respondent acknowledged the receipt of the same and further the appellant accept to pay the remaining Rs.5 lakhs towards arrears of rent on or before 17.09.2023 and to receive the receipt for the same from the respondent.

The appellant and the respondent agreed to withdraw and discontinue all legal proceeding pending (O.S.126/2017, O.S.1210/2008) at any court/forum in respect of the suit B



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schedule property in the Second Appeal.”

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The joint affidavit filed by the appellant as well as respondent shall form part and parcel of the decree. No costs. Consequently, the connected Civil Miscellaneous Petition is closed.

13.09.2023

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To

Sub-Judge,
Puducherry.



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T.V.THAMILSELVI, J.

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