



A.S.(MD)No.29 of 2012

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 15.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

A.S.(MD)No.29 of 2012

and

M.P.(MD)No.1 of 2014

Vivekanandan

...Appellant/1st Defendant

Vs.

1.Senthilkumar

2.Murugesan

3.Sundaralingam

... Respondents

PRAYER: This Appeal Suit is filed under Section 96 of the Civil Procedure Code, to allow this appeal by setting aside the judgment and decree dated 09.01.2012 passed in O.S.NO.369 of 2004 on the file of the Additional District Sessions Judge, Fast Tract Court No.2, Thiruchirappalli.

For Appellants : Ms.J.Anandavalli

For R1 : Mr.T.Banumathi

JUDGMENT

When the appeal was listed for hearing on 13.03.2023, there was no representation on the side of the appellant. Hence, the appeal was dismissed for default. Before the order copy was made ready, the learned counsel for the



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appellant made a mention that the dispute between the parties is settled out of Court and seeks to recall the order. Therefore, on the request made by the learned counsel for the appellant, this appeal was again listed for hearing today under the caption 'for clarification'.

2.The learned counsel for the appellant submitted that the parties have entered into a compromise and a memo to that effect has also been filed before this Court. The learned counsel for the first respondent has not disputed the same.

3.In view of the compromise entered between the parties, this appeal suit is disposed of. The decree shall be made in terms of the compromise memo. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

4.The Registry is directed to refund the court fee to the appellant as the matter has been settled out of Court.

15.03.2023

NCC : Yes/NO
Index : Yes/No
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To

- 1.The Additional District Sessions Judge,
Fast Tract Court No.2, Thiruchirappalli.
- 2.The Section Officer,
Vernacular Records,
Madurai Bench of Madras High Court,
Madurai.



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N.SATHISH KUMAR, J.

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Judgment made in
A.S.(MD)No.29 of 2012

15.03.2023