



S.A(MD)No.759 of 2009

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 28.02.2023

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

S.A(MD)No.759 of 2009

and

M.P(MD)No.1 of 2009

1.Ponrasu (Died) ... Appellant/Appellant/2nd Defendant
2.P.Selvamani
3.P.Dhivya
4.Minor P.Santhiya ...Appellants 2 to 4

(Appellants 2 to 4 are brought on record as LRs of the deceased sole appellant vide Court order, dated 16.02.2023 made in C.M.P(MD)Nos.1328, 1330, 1333 and 1339 of 2023 in S.A(MD)No.759 of 2009 by SSJ)

Vs.

1.Chellammal (Died) ... 1st Respondent/1st Respondent
/Plaintiff
2.Palanichamy Gounder (Died) ...2nd Respondent/2nd Respondent
/1st Defendant
3.K.Vishalakshi
4.T.Saraswathi
5.P.Yogalakshmi
6.P.Chellathal
7.Prabhakaran ...Respondents 3 to 7

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(Respondents 3 and 4 are brought on record as LR's of the deceased R1 vide Court order dated 16.02.2023 made in C.M.P(MD)Nos.1328, 1330, 1333 and 1339 of 2023 in S.A(MD)No.759 of 2009 by SSJ)

(Respondents 5 to 7 are brought on record as LR's of the deceased 2nd Respondent vide Court order, dated 21.02.2023 made in C.M.P(MD)No.1479 of 2023 in S.A(MD)No.759 of 2009 by SSJ)

PRAYER :-

This Second Appeal is filed under Section 100 of the Civil Procedure Code, against the judgment and decree, dated 18.03.2008 passed in A.S.No.34 of 2005 on the file of the Additional District and Sessions Court, Fast Track Court, Dindigul, confirming the judgment and decree, dated 01.08.2005 passed in O.S.No.16 of 2001 on the file of the Sub Court, Palani.

For Appellants : Mr.D.Nallathambi

For R3 to R7 : Mr.R.Murugan

JUDGMENT

The appeal is arising out of suit for partition filed by the deceased first respondent in O.S.No.16 of 2001 on the file of the Sub Court, Palani. Pending Second Appeal, both the parties settled the issues and entered into a Registered Partition Deed, dated 15.12.2021.



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2. Both the counsel for the appellants and respondents filed a Joint Compromise Memo, dated 27.02.2023, which was signed by the appellants 2 to 3 and respondents 3 to 7. The parties are identified by the respective counsel and they also put their signatures in the Compromise Memo.

3. Therefore, the Second Appeal is disposed of in terms of the Joint Compromise Memo filed by the appellants and the respondents 3 to 7, dated 27.02.2023. The Joint Compromise Memo shall form part of the decree. No costs. Consequently, connected Miscellaneous Petition is closed.

28.02.2023

NCC : Yes / No

Index : Yes / No

vsd

To

1.The Additional District and Sessions Court,
Fast Track Court, Dindigul.

2.The Sub Court,
Palani.

3.The Record Keeper,
Vernacular Records,
Madurai Bench of Madras High Court,
Madurai.

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vsd

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