



S.A.(MD)No.107 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **07.06.2023**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

S.A.(MD)No.107 of 2023

and

C.M.P.(MD)No.2513 of 2023

Perumal

... Appellant

/Vs./

Selvaraj

... Respondent

PRAYER: Second Appeal filed under Section 100 of the Civil Procedure Code to set aside the Judgment and Decree dated 15.12.2022 made in A.S.No.111 of 2015 on the file of the Sub Court, Thoothukudi, confirming the judgment and decree dated 31.08.2015 made in O.S.No. 374 of 2006 on the file of the Additional District Munsif Court, Thoothukudi, and allow the above Second Appeal.

For Appellant : Mr.C.Mayilvahana Rajendran

For Respondent : Ms.M.Benazir Begum



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JUDGMENT

A joint compromise memo dated 29.05.2023 has been filed by the appellant and the respondent and it is counter signed by the appellant's counsel. The appellant as well as the respondent are also present before this Court. Their identity has also been verified by this Court, as they have produced their respective Aadhar cards.

2. However, the learned counsel appearing for the respondent has not counter-signed the joint compromise memo, as she has not received instructions with regard to the joint compromise memo from her counterpart at Thoothukudi.

3. Since the joint compromise memo dated 29.05.2023 has been duly signed and the parties are present before this Court, the joint compromise memo dated 29.05.2023 will have to be taken on record. As per the joint compromise memo dated 29.05.2023, the respondent has agreed to sell the suit schedule property to the appellant as per the sale agreement dated 25.05.2023. A copy of the sale agreement dated 25.05.2023 entered into between the appellant and the respondent has



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also been enclosed along with the joint compromise memo dated 29.05.2023. The joint compromise memo dated 29.05.2023 as well as the copy of the sale agreement dated 25.05.2023 entered into between the appellant and the respondent is taken on record.

4. In terms of the joint compromise memo dated 29.05.2023 and the copy of the sale agreement dated 25.05.2023, this Second Appeal is disposed of. The joint compromise memo dated 29.05.2023 and the copy of the sale agreement dated 25.05.2023 shall form part of this judgment.

5. In view of the joint compromise memo, Registry is directed to return the original title deed, namely, Ex.A2 to the respondent on proper identification provided the respondent substitutes the same with a certified copy. No costs. Consequently, connected Miscellaneous Petition is closed.

07.06.2023

Index : Yes / No
NCC : Yes / No
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ABDUL QUDDHOSE, J.

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TO:

- 1.The Sub Court, Thoothukudi.
- 2.The Additional District Munsif Court, Thoothukudi.
- 3.The Section Officer, VR Section,
Madurai Bench of Madras High Court,
Madurai.

Judgment made in
S.A.(MD)No.107 of 2023

Dated:
07.06.2023