



S.A(MD)No.90 of 2021

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.12.2023

CORAM:

THE HONOURABLE MR.JUSTICE G. CHANDRASEKHARAN

S.A(MD)No.90 of 2021
and
C.M.P(MD) No.1472 of 2021

1.Nachiyarammal
2.Venkitasay
3.Dhamodharan
4.Thiruvenkita Raj
5.Saravanan
6.Mohan

...Appellants/Appellants/Defendants

-Vs-

Azhwarammal (Died)
1.R.Rengammal
2.V.venkitasamy

... Respondents/Respondents

PRAYER: Second Appeal is filed under Section 100 of the Code of Civil Procedure, against the judgment and decree dated 27.08.2019 passed in A.S.No.4 of 2012 on the file of the Additional District Court, Srivilliputhur confirming the decree and judgment dated 19.10.2010 passed in O.S.No.60 of 2008, on the file of the Sub Court, Sivakasi.



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For Appellants : Mr.M.Ashokkumar

For R1 & R2 : Mr.M.Kannan

J U D G M E N T

This Second Appeal is filed against the judgment and decree dated 27.08.2019 passed in A.S.No.4 of 2012 on the file of the Additional District Court, Srivilliputhur, confirming the decree and judgment dated 19.10.2010 passed in O.S.No.60 of 2008, on the file of the Sub Court, Sivakasi.

2. When this Second Appeal is taken up for hearing today, a Joint Compromise Memo dated 12.12.2023 executed between both the appellants and the respondents is filed. It is jointly submitted by the learned counsel for the appellants and the learned counsel for the respondents that the parties have resolved their dispute in terms of the Joint Compromise Memo and prayed for disposal of this Second Appeal.

3. The terms of the Joint Compromise Memo dated 12.12.2023 read as follows:



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"i) The 1st item of the suit schedule property has to be equally divided and the appellants and the respondents are entitled to half share each;

ii) In the 2nd schedule of the suit property, the appellants shall be entitled to an extent of 6 cents on the Northern side which also comprised the row of houses constructed therein. The respondents to this Second Appeal are entitled to an extent of 6 cents on the southern side which includes the row of shops constructed therein"

4. In view of the settlement arrived at between both parties, this Second Appeal is disposed of, in terms of the compromise entered into between the appellants and the respondents as detailed above. The Joint Compromise Memo dated 12.12.2023 shall form part of this judgment and decree. No costs. Consequently, connected miscellaneous petition is closed.

15.12.2023

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

CM

Note: Issue order copy on **20.12.2023**



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To,

- 1.The Additional District Court, Srivilliputhur.
- 2.The Sub Court, Sivakasi.
- 3.The Record Keeper,
V.R.Section,
Madurai Bench of Madras High Court,
Madurai.



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G. CHANDRASEKHARAN, J.

CM

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and

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