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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **05.12.2023**

CORAM:

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

S.A(MD)NO.148 OF 2021
and
C.M.P(MD)No.2185 of 2021

1.Karthikeyan

2.Thamodaran :Appellants/Appellants/Plaintiffs

.VS.

1.Ponnuthai

2.Selvakani :Respondents/Respondents/
Defendants

PRAYER: Second Appeal filed under Section 100 of Civil Procedure Code against the judgment and decree made in A.S.No.19 of 2019, dated 22.07.2020, on the file of Subordinate Judge, Uthamapalayam confirming the judgment and decree made in O.S.No.142 of 2013, dated 30.11.2017, on the file of District Munsif, Uthamapalayam.

For Appellants :Mr.R.Surianarayanan

For Respondents :Mr.K.Saravanan
1 and 2

JUDGMENT

When the matter is taken up for hearing today, both the



appellants as well as the respondents are present. They have filed a Joint Compromise Memo before this Court signed by the parties and their respective counsels. It is submitted by the learned counsel for the parties and the parties that they have resolved their dispute between themselves and entered into a Joint Compromise Memo with the following terms:

(1)It is agreed mutually that the appellants/plaintiffs will not dispute the five cents of land of the respondents 1 and 2/defendants 1 and 2 situated at S.No.305/5 as mentioned and described in the Registered Will, dated 06.07.2007 executed by the Karupayee Ammal. As such, the respondents 1 and 2/defendants 1 and 2 also shall not claim more than five cents of land.

(2)It is agreed mutually that the appellants/Plaintiffs shall not claim ore than 43.5 cents as they purchased from the said T.Manikumar, T.Murugan and T.Raja as mentioned and described in the Registered Settlement Deed, dated 08.11.2006 of Karuppayee Ammal.

(3)It is agreed by both parties that they shall not claim more than what they have been allotted as per Will, dated 06.07.20007 and Settlement Deed, dated 08.11.2006 executed by the Karyppayee Ammal



respectively.

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(4)It is agreed mutually that the appellants/Plaintiffs shall not make any objection for claiming patta for the above said 5 cents of land of the respondents 1 and 2/defendants 1 and 2.

2.It is submitted and prayed by the learned counsel for the parties and parties that the Second Appeal may be disposed of in terms of the Joint Compromise Memo.

3.In the said circumstances, this Second Appeal is disposed of in terms of the Joint Compromise Memo filed by both the parties. The Joint Compromise Memo shall form part and parcel of the Judgment. No costs. Consequently, connected Miscellaneous Petition is closed.

05.12.2023

Index:Yes/No
Internet:Yes/No
NCC:Yes/No
vsn

To

1.The Sub-Judge,
Uthamapalayam.



2.The District Munsif,
Uthamapalayam.

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



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G.CHANDRASEKHARAN,J.

vsn

**JUDGMENT MADE IN
S.A(MD)NO.148 OF 2021
and
C.M.P(MD)No.2185 of 2021**

05.12.2023