



WEB COPY



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **13.06.2023**

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

A.S(MD)NO.244 OF 2015

M.Dharmaraj :Defendant/Appellant

.VS.

M.Samydurai :Plaintiff/Respondent

PRAYER:Appeal Suit filed under Order 41 r/w Section 96 of the Civil Procedure Code against the decree and judgment made in O.S.N o.26 of 2012, dated 29.4.2015, on the file of the Additional District Court, Pudukkottai.

For Appellant :Mr.P.Thiagarajan

For Respondent :Mr.N.Kamesh

JUDGMENT

This Appeal Suit is filed by the appellant challenging the preliminary decree passed by the trial Court.

2.Heard the learned counsel appearing on either side and perused the materials available on record including the Joint Compromise Memo filed by both the parties.



3. Before this Court, both the appellant as well as the respondent, who are brothers, have entered into a compromise and filed a compromise memo, wherein, the properties which were not the subject-matter of the suit was also included and hence, agreed to be partitioned.

4. Both the appellant and respondent are present before this Court and they have accepted the terms of the joint compromise and the said Joint Compromise Memo is taken on record. As the parties themselves have agreed to divide the properties as stipulated in the Joint Compromise Memo and therefore, the Joint Compromise Memo is recorded and the Appeal suit is disposed of in terms of the Joint Compromise Memo. The said Joint Compromise Memo shall form part and parcel of the record. No costs.

5. Registry is directed to draft the final decree, subject to the payment of deficit Court fees, if any, by both sides and the parties are also directed to deposit the non-judicial stamp papers into the Court within fourteen days from today for engrossing the final decree.

13.06.2023



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

To

- 1.The Additional District Judge,
Additional District Court,
Pudukkottai.
- 3.The Section Officer,
V.R.Section,
Madurai Bench of Madras High Court,
Madurai.



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N.SATHISH KUMAR, J.

vsn

JUDGMENT MADE IN
A.S(MD)NO.244 OF 2015

13.06.2023