



S.A.(MD)No.98 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **30.06.2023**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

S.A.(MD)No.98 of 2023

and

C.M.P.(MD)Nos.2406 & 2408 of 2023

Murugan (died)

1.M.Angalaeshwari

2.M.Pushpavanam

3.M.Pushpameenatchi

4.M.Pushparaj

5.M.Pushpaganapathy

... Appellants

/Vs./

1.K.Jothimani

2.Ramalingam

... Respondents

PRAYER: Second Appeal filed under Section 100 of the Civil Procedure Code to set aside the Judgment and Decree dated 05.09.2022 made in A.S.No.243 of 2019 on the file of the Sub Court at Manamadurai,



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confirming the judgment and decree dated 15.07.2014 made in O.S.No.147 of 2011 on the file of the Principal District Munsif Court, Manamadurai.

For Appellants : Mr.V.Meenakshisundaram

For R1 : Mr.SP.Vijaynivas

JUDGMENT

Before the Tamil Nadu Mediation and Conciliation Centre attached to this Court, the parties to this second appeal excepting for the second respondent, who has remained exparte before the Courts below and the service of notice on him was also dispensed with by this Court, have reached a settlement.

2. The settlement agreement dated 28.06.2023 arrived at by the parties before the Tamil Nadu Mediation and Conciliation Centre attached to this Court is placed before this Court along with the mediation report dated 28.06.2023 of the Tamil Nadu Mediation and Conciliation Centre attached to this Court. The mediation report also



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confirms that the parties have resolved the dispute amongst themselves by entering into a settlement agreement dated 28.06.2023.

3. The settlement agreement dated 28.06.2023 has been signed by the parties to this second appeal excepting for the second respondent, who has been set exparte by the Courts below and this Court, by its order had also dispensed with the service of notice on him. The respective counsels appearing for the respective parties have also signed the settlement agreement.

4. Only in the presence of all the parties to the settlement agreement dated 28.06.2023, the Tamil Nadu Mediation and Conciliation Centre attached to this Court had recorded the settlement. The said settlement agreement dated 28.06.2023 along with the mediation report of the Tamil Nadu Mediation and Conciliation Centre attached to this Court dated 28.06.2023 is taken on record by this Court.

5. In terms of the settlement agreement dated 28.06.2023 as well as the mediation report dated 28.06.2023 of the Tamil Nadu Mediation



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and Conciliation Centre attached to this Court, this Second Appeal is disposed of. The settlement agreement dated 28.06.2023 as well as the mediation report dated 28.06.2023 of the Tamil Nadu Mediation and Conciliation Centre attached to this Court shall form part of this judgment. No costs. Consequently, connected Miscellaneous Petitions are closed.

30.06.2023

Index : Yes / No
NCC : Yes / No
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TO:

- 1.The Subordinate Court, Manamadurai.
- 2.The Principal District Munsif Court,
Manamadurai.
- 3.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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ABDUL QUDDHOSE, J.

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Judgment made in
S.A.(MD)No.98 of 2023

Dated:
30.06.2023