



S.A.No.1042 of 2002

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.11.2023

CORAM

THE HONOURABLE MRS.JUSTICE R.KALAIMATHI

S.A.No.1042 of 2002

- 1.Kaverikan
- 2.P.Thirumalai Rajkumar
- 3.Veluchamy
- 4.Chellasamy

...Appellants

(for themselves and on as administrators of Kallakondasamy Temple belonging to Yadava Community of South Sankarankoil Village and Thalavaipuram Village and as representatives of the Devotees)

(Appellants 1 to 3 are substituted in the place of the deceased appellants 1 to 3 vide Court order dated 10.10.2023 in C.M.P.(MD)No.13684 of 2023 in S.A.No.1042 of 2002)

vs.

- 1.Shanmugavel Mudaliar (died)
- 2.Ramalinga Mudaliar
- 3.Subramania Mudaliar
- 4.The Assistant Electrical Engineer (Supply) (Rural)
Tamil Nadu Electricity Board,
Sankarankoil.
- 5.Tamil Nadu Electricity Board,
Through its Superintending Engineer,
Tirunelveli Kattabomman District.
- 6.Saraswathi
- 7.Subramaniam
- 8.Vijayalakshmi



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9.Valliammal
10.Arumugam
11.Gayathri

... Respondents

(Respondents 6 to 11 are brought on record as
LRs of the deceased 1st respondent vide Court
order dated 07.11.2023 in C.M.P.(MD)nos.
15105 to 15107 of 2023 in S.A.No.1042 of 2002)

Prayer: Second Appeal filed under Section 100 of the Code of Civil Procedure against the Judgment and Decree dated 20.02.2002 in A.S.No.15 of 2002 on the file of the Sub Judge, Sankarankoil reversing the Judgment and Decree dated 17.08.2001 in O.S.No.364 of 1996 on the file of the Principal District Munsif Court, Sankarankoil.

For Appellants : Mr.M.P.Senthil for A1 to A3
Mr.J.Antony Jesus for A4

For Respondents : Mr.V.Ramajegadeesan for R2 & R3
Mr.B.Ramanathan for R4 & R5
Mr.D.Srinivasaraghavan for R6 to R11
R1 - Died

JUDGMENT

This Second Appeal was referred to Mediation and Conciliation Centre at the request of both sides counsel.

2. A Joint Compromise Memo was entered into between the parties and the same is filed before this Court.



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3. The learned counsel on both sides would submit that there are two wells situated in the suit property, one in the northern side and another one in the southern side, over which, the well situated in the northern side is agreed to be used by the respondents, i.e., the well mentioned in this Joint Compromise Memo is only the well situated in the northern side of the suit property.

4. In view of the Joint Compromise Memo filed between the parties, this Second Appeal is disposed of. No costs.

21.11.2023

NCC:Yes/No
Index:Yes/No
Speaking/Non-speaking order

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To

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- 1.The Sub Judge, Sankarankoil
- 2.The Principal District Munsif Court, Sankarankoil
- 3.The Section Officer,
Vernacular Records Section,
Madurai Bench of Madras High Court,
Madurai.



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R.KALAIMATHI, J.

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