



S.A. No. 921 of 2009

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.09.2024

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

S.A. No.921 of 2009

and

M.P.No. 1 of 2009

1. Asa John Divyanathan

2. Preetha David

... Appellants

Versus

M.Anil Kumar

... Respondent

Prayer:- Second Appeal has been filed under Section 100 C.P.C., against the judgment and decree dated 19.06.2008 made in A.S.No. 11 of 2006 on the file of the Addl. District Judge, Salem confirming the judgment and decree dated 17.11.2005 made in O.S.No.557 of 2002 on the file of Principal Subordinate Judge, Salem.

For Appellants : Mr.D.Ravichander

For Respondent : Mr.Ramesh Venkatachalapathy

JUDGEMENT



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Today, when the matter taken up for hearing, both parties along with their respective counsels appeared and submitted a memo stating that the matter was compromised. Accordingly, they wanted to dismiss the above Second Appeal as not pressed. Furthermore, both the learned counsels would seek a direction to refund 50% of the amount, which was deposited at the time of filing of appeal suit.

2. Considering their submissions as well as memo filed by both parties, this Second Appeal is dismissed as not pressed. The Appellant is permitted to receive 50% of the amount with accrued interest deposited in O.S.No.557 of 2002 in pursuant to the interim order passed by the Principal Subordinate Court, Salem within a period of two weeks from the date of receipt of copy of this order. The memo filed by the appellants as well as respondent shall form part and parcel of the decree. No costs. Consequently, the connected Miscellaneous Petition is closed.

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To
Addl. District Judge, Salem.

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T.V.THAMILSELVI, J.

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