



S.A.No.1414 of 2010

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.01.2024

CORAM

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

S.A.No.1414 of 2010

and

M.P.No.1 of 2010

Valliammal

... Petitioner

Vs

KP.Shanmugam

... Respondent

PRAYER:- Second Appeal filed under Section 100 of the Civil Procedure Code, filed against the judgment and decree dated 09.04.2010 made in A.S.No.101 of 2009 on the file of the Principal District Court, Erode reversing the judgment and decree dated 28.04.2009 made in O.S.No.207 of 2007 on the file of the Principal Sub-Court, Erode.

For Appellant : Mr.K.R.Nishant
for Mr.U.Baranidharan

For Respondent : Mr.SKaithamalai Kumaran



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JUDGMENT

The plaintiff in the suit is the appellant in the appeal.

The plaintiff has come up with a suit claiming for partition against the defendant and the suit was decreed and the Appeal filed by the defendant was allowed by the lower appellate Court. Against which the plaintiff is before this Court with this Second Appeal.

2. The learned counsels appearing on either side submitted in unison that pending this Second Appeal, the parties have arrived at a compromise and they have entered into a Compromise Deed, dated 29.06.2023 by which the appellant herein has agreed to give up her rights in the suit property in favour of the defendant on receiving a sum of Rs.9,00,000/- as a settlement from the defendant.

3. The Joint Memo of Compromise, dated 19.01.2024 is signed by both, the appellant and defendant along with their respective counsels is filed and are present before this Court. This Joint Memo of

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Compromise, dated 19.01.2024 has been entered between the parties as per the Compromise deed entered earlier between the parties.

4. Accordingly, this Second Appeal is disposed of in terms of the Joint Memo of Compromise dated 19.01.2024 and the same shall form the integral part of the decree. No costs. Consequently, connected miscellaneous petition is closed.

19.01.2024

gba

Index : Yes/No

Speaking order : Yes/No

Neutral Citations : Yes/No



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