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C.M.S.A.No.44 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.06.2024

CORAM

**THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE**

**C.M.S.A.No.44 of 2013**

**and**

**M.P Nos.1 of 2013, 1 of 2014 & C.M.P No.10782 of 2024**

P.Balakrishnan

... Appellant

..Vs..

1.Panneer Selvam (died)

2.Padmavathi

3.Kasthuri

4.Govindan Nair

5.C.Chinnakrishnan

6.K.Sampath

7.Kasthuri

8.Sarojini

9.Mahab Bee

10.Mallaiyan

11.Kandasamy

12.Vijaya Raghavan

13.Rajaraman

14.Arjunan

15.Indirani Ammal

16.Padmavathy

17.Kalavathy

18.Charmila

...Respondents

(Respondents 17 & 18 were brought on  
record as legal heirs of the deceased  
1st respondent viz., Panneer Selvam



C.M.S.A.No.44 of 2013

and CMSA is not pressing the appeal as against the respondents 2 to 16 vide court order dated 18.06.2024 made in CMP No.10782 of 2024 and 4030/2022, 12441/2022, 4425/2022, 5146/2022, 5322/2022, 3805, 3808/2022&3809/2022, 11834/2022, 11836/2022, 11838/2022, 11887/2022, 11890/2022, 11892/2022, 12437/2022, 12439/2022 in CRP Nos.3792, 3793, 3818 to 3821/2013 in CMSA Nos.41, 42, 44 to 46, 35 and 54 of 2013)

**Prayer:** Civil Miscellaneous Second Appeal filed under Section 100 of CPC read with Order 43 Rule 1 & Order 21 R 103 of the Code of Civil Procedure, against the fair and decreetal order dated 18.09.2021 made in C.M.A No.17 of 2013 on the file of the Subordinate Judge, Poonamallee, dismissing the Appeal and confirming the fair and decreetal order made in E.A No.51 of 2013 in E.P No.60 of 2006 in O.S No.1314 of 1984 dated 04.03.2013 on the file of the Principal District Munsif, Poonamallee.

For Appellant : Mr.Manjunath Karthikeyan  
For M/s.S.R.Ragunathan

For Respondents : M/s.M.Lakshmipriya for R17& R18



C.M.S.A.No.44 of 2013

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## JUDGMENT

On the last hearing date, the learned counsel for the appellant on instructions had given up the respondents 2 to 16 in this appeal and the appeal was dismissed as not pressed as against the respondents 2 to 16. The only contesting respondents in this appeal are the respondents 17 and 18. The appellant and the contesting respondents namely, the 17th respondent and the 18th respondent have entered into a Joint Memo of Compromise dated 25.06.2024. The said Joint Memo of Compromise had been signed by the appellant, the 17th respondent and the 18th respondent. It has also been counter signed by their respective counsels. The appellant, the 17th respondent and the 18th respondent are also present in the open court today.

2. The Joint Memo of Compromise dated 25.06.2024 entered into between the contesting parties in C.M.S.A No.44 of 2013 is taken on record and in terms of the Joint Memo of Compromise, this Civil Miscellaneous Second Appeal is disposed of. The Joint Memo of



C.M.S.A.No.44 of 2013

Compromise dated 25.06.2024 shall form part of the decree. Accordingly,

C.M.P No.10782 of 2024 is also allowed as prayed for. Consequently,

connected Miscellaneous Petitions are closed. No costs.

25.06.2024

(1/2)

Index: Yes/No

Internet: Yes/No

Speaking/Non-speaking order

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To

1.The Subordinate Judge

Poonamallee

2.The Principal District Munsif

Poonamallee

3.The Section Officer

V.R.Section, High Court of Madras.



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C.M.S.A.No.44 of 2013

**ABDUL QUDDHOSE, J.**

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and  
M.P Nos.1 of 2013 & 1 of 2014 and  
C.M.P No.10782 of 2024  
(1/2)**



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**25.06.2024**