



WEB COPY



A.S. No. 974 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.08.2024

CORAM

**THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN**

A.S. No. 974 of 2020

and

C.M.P. No. 13709 of 2020

1. K.S.Sriram
2. K.P.Babu
3. N.Kumaravel
4. K.R.Subramaniam
5. P.Palaniyammal

... Appellants/Defendants 8 to 12

-VS-

1. Sree Venkateshraj R.K.
2. Rajammal

... Respondents/Plaintiffs

3. K.R.Chokkalingam
4. The Branch Manager  
Canara Bank  
Vaiguntham Branch  
Sankari Taluk, Salem District.
5. Chinnannan
6. Raju
7. Muthayee @ Ponniyammal (died)

[R1 to R3 and R8 who were already on record, are recorded as legal representatives of deceased R7, vide order of Court dated 01.04.2024 made in A.S. No. 974 of 2024 and C.M.P. No. 13709 of 2020. Memo is filed on 04.03.2024 is recorded]



A.S. No. 974 of 2020

8. Velayee

...Respondents/Defendants 2 to 7

WEB COPY

PRAYER: This Appeal is filed under Order 41 Rule 1 and Section 96 of Civil Procedure Code, against the Judgment and Decree passed in O.S.No.221 of 2013 on the file of the III Additional District Judge, Salem dated 07.09.2019.

For Appellant : Mr. R.Marudhachalamurthy

For Respondents : Mr. D.Rajkumar (R1 & R2)

Mr. M.Mohan (R3)

Mrs. T.Hemalatha (R4)

R5 – R8 (No appearance)

## ORDER

The case was taken up and the second respondent, viz., Rajammal, appeared through video-conferencing along with an Aadhar Card and the learned counsel, Mr. D.Rajkumar, identified the person, who appeared through video-conference as the second respondent.

2. As per the Memo of Compromise filed, 'A' schedule goes to and in favour of Defendants 8 to 10, 'B' schedule goes to and in favour of Defendants 8 to 12, 'C' schedule is the property wherein 'A' and 'B'



A.S. No. 974 of 2020

schedules are excluded goes to the plaintiff. The schedules are given in the memo of compromise, which is taken on file, and the same is attested by the learned counsel for the appellants and also by the learned counsel for the respondents 1 and 2.

3. The decree granted in O.S. No. 221 of 2013 on the file of the III Additional District Judge, Salem is hereby modified in accordance with the terms of compromise to the limited extent. The appeal suit is partly allowed to the limited extent as indicated above and the memo of compromise dated 01.08.2024 shall form part of the decree. No costs. Consequently, connected Miscellaneous Petition is closed.

**01.08.2024**

Index :Yes/No  
Maya

To

The III Additional District Judge  
Salem.



WEB COPY



A.S. No. 974 of 2020

**RMT.TEEKAA RAMAN, J.**

*Maya*

A.S. No. 974 of 2020 and  
C.M.P. No. 13709 of 2020

**01.08.2024**