



A.S.No.308 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.02.2024

CORAM

THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN

A.S.No.308 of 2018

and

C.M.P.Nos.7474 of 2018 & 11693 of 2023

1.Thulasiammal
W/o.Palanisamy
D.No.7/208, Keelkadavukarai
Ayyanthottam
Kariagoundenpalayam
Pogalur, Annur.

2.Rasu
S/o.Palanisamy
D.No.7/208, Keelkadavukarai
Ayyanthottam
Kariagoundenpalayam
Pogalur, Annur 641 697.

... Appellants

Vs.

1.Rajeswari
W/o.Sundaram
D.No.7/49, Velukutti Thottam
Saminathapuram
Periaputhur, Annur

2.Dhanalakshmi
W/o.Selvaraj
D.No.77, Kumaragounder Thottam

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Thenponmudi, Pallapalayam
Sirumugai
Mettupalayam Taluk 641 03

2.Rukmani (died)
W/o.Subramaniam
D.No.7/99, Keelkadavukarai
Karamarakkadu Thottam
Karegoundenpalayam
Pogalur, Annur 641 697.

4.Ponni
W/o.Gurusamy
D.No.7/99, Keelkadavukarai
Karamarakkadu Thottam
Karegoundenpalayam
Pogalur, Annur 641 697.

5.Subramaniam

6.Dhanalakshmi

7.Vijayalakshmi

R5 to R7 residing at D.No.7/99, Keelkadavukarai
Karamarakkadu Thottam
Karegoundenpalayam
Pogalur, Annur 641 697.

*(R5 to R7 are brought record as legalheirs of
deceased R3 vide order dated 18.01.2024
in CMP.No.24270, 24273 and 24276 of 2023)*

... Respondents

PRAYER: This Appeal is filed under Order 46 Rules 1 and 2 read with
Section 96 of Civil Procedure Code, against the Judgment and Decree dated

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15.06.2017 made in O.S.No.134 of 2012 on the file of the I Additional District Judge at Coimbatore.

For Appellant : Ms.T.R.Gayathri
for M/s.Saravabhauman Asso.

For Respondents : Mr.S.Kuberan (for R1)
for Mr.V.Anandhamurthy
Ms.M.Atchaya (for R5 to R7)
R2 – No appearance
R3 – Died
R4 – No appearance

J U D G M E N T

This Appeal Suit has been filed against the Judgment and Decree dated 15.06.2017 made in O.S.No.134 of 2012 on the file of the I Additional District Judge at Coimbatore.

2.By earlier order dated 05.02.2024, the matter was referred to Mediation Centre attached to this Court for making necessary modification in the ranking of the parties and the mediation has ended successfully and the terms of the Mediation has been annexed with the positive Mediation



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report dated 06.02.2024.

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3.Learned counsel appearing on both sides represented to record the settlement agreement dated 05.02.2024 entered between the parties.

4.Therefore, this Appeal Suit is disposed of, as settled out of Court in terms of the settlement agreement dated 05.02.2024 entered between the parties. Consequently, the judgment and decree passed by the trial Court dated 15.06.2017 in O.S.No.134 of 2012 on the file of the I Additional District Judge at Coimbatore is hereby modified as per the terms of the settlement agreement dated 05.02.2024. The settlement agreement dated 05.02.2024 shall form part of this order. Consequently, connected Miscellaneous Petitions are closed. No costs.

15.02.2024

Index : Yes/No
Neutral citation : Yes/No
Speaking Order/Non-Speaking Order

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To
I Additional District Judge
Coimbatore.



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RMT.TEEKAA RAMAN, J.

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and
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15.02.2024