



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.12.2024

CORAM

THE HONOURABLE Ms.JUSTICE R.N.MANJULA

S.A.No.414 of 2012

- 1 Govindarajan,
S/o Ramanathan Chettiar 31 Big Salia Street,
Koranadu Mayiladuthurai Town,
Nagapattinam District.
- 2 Nagalakshmi
S/o Chidambaram Chettir 39 Big Salai St
Koranadu Mayiladuthurai Town,
Nagapattinam District.
- 3 Usha
W/o Vengu Chettiar No.25 New Agraharam
Dharmakulam Poombukar Sirkali Taluk,
Nagapattinam District. Appellants

Vs

- 1 Kamalam (deceased)
W/o Namasivayam 38 Big Salia St Koranadu
Mayiladuthurai Town,
Nagapattinam District.
- 2 Dhanusu
W/o Arumugam Big Salia St Koranadu



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Mayiladuthurai Town,
Nagapattinam District.

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3 Raju

S/o Ramanathan Chettiar South Salia Street
Koranadu Mayiladuthurai Town
Nagapattinam District.

4 Gurumurthy

S/o Muthiyan Chettiar 13/8 Vedachalam
Thottam Mandaveli,
Chennai-28

5 S.ramanathan

S/o Muthiyan Chettiar 13/8 Vedachalam
Thottam Mandaveli, Chennai -28

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Respondents

PRAYER: Second Appeal is filed under Section 100 of C.P.C against to set aside the Judgement and Decree of the District Court, Nagapattinam, dated 27.09.2011 made in A.S.No.12 of 2011 confirming the judgement and decree of the Principal Sub Court, Mayiladuturai, dated 22.12.2010 made in O.S.No.57 of 2009.

For Appellants : Mr.S/Arivazhagan

For Respondents : Mr.T.Thiyagarajan for RR1, 4, &5

:Mr.A.Muthukumar for R2

:Mr.B.Jawahar for R3



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JUDGEMENT

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2. The appellants 1 to 3, 2nd respondent, are present before this Court and they are identified by their respective learned Counsel. The 1st respondent died. As per the terms of the compromise, the appeal against the respondents 4 & 5 is to be dismissed and that has been agreed by the appellant as well and he has endorsed his signature.

3. The learned counsel for the 3rd respondent has got joint rights with the appellants. He has also affixed his signature as per the terms by agreeing to the terms of the compromise.

4. The 2nd respondent has agreed that he has got no right or title in respect of the agricultural land allotted in OS.No.130/99 to the parties,



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wherein shares have been allotted in favour of the appellants and the 3rd respondent. The 2nd respondent limits his interest with that of the share allotted to him in the first item of the suit 'A' schedule in which he has been given the eastern half.

5. The terms of the compromise memo are read to the parties, and they have stated that they have understood the terms and then only affixed their signatures. Hence the compromise memo is recorded.

6. In view of the same, this second appeal is disposed of as settled in terms of the joint compromise memo filed, which shall form part of the decree. The parties are to bear the necessary incidental Court Fees or stamp duty that might arise.

16.12.2024

Index: Yes / No
Speaking order / Non-speaking order
Neutral Citation : Yes / No
jrs



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R.N.MANJULA ,J.

jrs

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