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S.A.Nos.702 & 703 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.08.2024

CORAM

THE HONOURABLE MR.JUSTICE N.SENTHILKUMAR

S.A.Nos.702 & 703 of 2012
and M.P.No.2 of 2012
and C.M.P.Nos.5741, 5744 & 5746 of 2022

S.A.No.702 of 2012

R.Arul

Vs.

... Appellant

1.Balasubramania Gupta (died)
Navaneetha Ammal (died)
2.Satyanarayana Gupta
3.Om Shakthi Finance Corporation,
Rep. By its Managing Partner,
No.434, J.N. Street,
Tindivanam.
4.Jayakumari
5.Srimathi
6.Aravindalosani
7.Meenatchi
8.B.Manjula
9.B.Priya
10.B.Brindha
11.B.Pradeep Guptha

.. Respondents

(R1 died, R8 to R11 are brought on record as legal heirs of the deceased R1 vide Court order dated 28.03.2022 made in M.P.No.1 of 2014 in S.A.No.702 of 2012)



S.A.Nos.702 & 703 of 2012

S.A.No.703 of 2012

Satyanarayana Gupta

... Appellant

Vs.

Navaneetha Ammal (died)

1.Balasubramania Gupta (died)

2.Om Shakthi Finance Corporation,

Rep. By its Managing Partner,

No.434, J.N. Street,

Tindivanam.

3.Jayakumari

4.Srimathi

5.Aravindalosani

6.Meenatchi

7.R.Arul

8.B.Manjula

9.B.Priya

10.B.Brindha

11.B.Pradeep Guptha

.. Respondents

(R1 died, R8 to R11 are brought on record as legal heirs of the deceased R1 vide Court order dated 03.09.2024 made in C.M.P.Nos.5741, 5744 & 5746 of 2022 in S.A.No.703 of 2012)

COMMON PRAYER: Second Appeals filed under Section 100 of the C.P.C., against the judgment and decree dated 29.03.2012 made in A.S.No.85 of 2005 on the file of the Additional Sub-Judge, Tindivanam, reversing the judgment and decree dated 22.07.2005 made in O.S.No.207 of 2004 on the file of the Principal District Munsif, Tindivanam.

For Appellant : Mr.D.Ravichander



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Mr.A.Tamilvanan

For R8 to R11 : Mr.Thalapathy Vignesh

COMMON JUDGMENT

Both the Second Appeals were admitted by this Court and notice was issued to the respondents. Pursuant to the death of the first respondent, the legal heirs of the first respondent viz., R8 to R11 were impleaded as parties to the suit in S.A.No.702 of 2012.

2. When the matter is taken up for hearing today, it is submitted by both the learned counsel for the appellant as well as the learned counsel for the respondents 8 to 11 that the parties have entered into an amicable settlement and have filed a compromise memo to that effect.

3. Recording the same, both the Second Appeals are decreed in terms of the compromise entered between the parties. This Court had examined the parties who have appeared in person and their respective counsels identified the parties to ensure that they are the appellant and



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contesting respondents 8 to 11. The respondents 2 to 7 were tenants of the property in dispute. Since they are all not necessary parties and they have vacated the premises, they have no right over the property. Therefore, they consent to give over the Second Appeals. The memo of compromise shall form part of the decree. No costs. Consequently, connected Miscellaneous Petitions are closed.

28.08.2024

Index :Yes/No
gsa

To

- 1.The Subordinate Judge,
Vellore.
- 2.The District Munsif,
Katpadi, Vellore District.



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N.SENTHILKUMAR, J.

Gsa

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