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S.A.Nos.663 to 665 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.08.2024

CORAM

HONOURABLE MR. JUSTICE SATHI KUMAR SUKUMARA

KURUP

S.A.Nos.663 to 665 of 2013

and

M.P.Nos.1, 1 & 1 of 2013

M.Devaraji

...Appellant in all S.As

Vs.

1. A.Govindaraji

...Respondent in all S.As

2. R.Umapathy

...Respondent in S.A.No.664/2013

PRAYER: Second Appeal filed under Section 100 of the Code of Civil Procedure, to set aside the Judgment and Decree dated 05.10.2012 in A.S.Nos.17 to 19 of 2010 on the file of the learned Subordinate Judge, Tirupattur, Vellore District thereby reversing the well-considered Judgment and Decree dated 16.02.2010 in O.S.Nos.321, 292 & 287 of 2005 on the file of the learned District Munsif, Tirupattur, Vellore District.

For Appellants : Mr.K.Selvaraj

For Respondents : Mrs.S.S.Meenakumary



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JUDGMENT

This Second Appeal has been filed to set aside the Judgment and Decree dated 05.10.2012 in A.S.Nos.17 to 19 of 2010 on the file of the learned Subordinate Judge, Tirupattur, Vellore District thereby reversing the well-considered Judgment and Decree dated 16.02.2010 in O.S.Nos.321, 292 & 287 of 2005 on the file of the learned District Munsif, Tirupattur, Vellore District.

2. The learned Counsel for the Appellant and the learned Counsel for the Respondents filed joint memo of compromise reporting that the subject matter of the Second Appeal had been settled amicably between the parties before this Court through payment by way of cash Rs.1,05,000/-. The joint memo of compromise filed by the learned Counsel for the Appellant and the Respondents jointly is recorded. The joint memo of compromise dated 01.08.2024 shall form part of this order.

3. In view of the submission of the learned Counsel for the Appellant



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and in view of the joint memo recorded, the ***Second Appeal is dismissed as settled out of Court.*** The Appellant is entitled to refund of the Court-fee.

The Respondents shall withdraw the amount deposited by the Appellant on the file of the learned Principal District Munsif, Tirupattur vide Receipts Nos.265969, 265968, 265970 (total amount of Rs.45,000/-) along with accrued interest. No costs. Consequently, connected miscellaneous petitions are closed.

01.08.2024

Index : Yes/No

Internet : Yes/No

srm

Note: Issue Order copy on 02.08.2024

To

1. The Subordinate Judge,
Tirupattur, Vellore.
2. The District Munsif,
Tirupattur, Vellore.



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SATHI KUMAR SUKUMARA KURUP.J.,

srm

S.A.Nos.663 to 665 of 2013
and
M.P.Nos.1, 1 & 1 of 2013

01.08.2024