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S.A.No.651 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.10.2024

CORAM

THE HONOURABLE MR.JUSTICE R.SAKTHIVEL

S.A.No.651 of 2018
and C.M.P.No.20107 of 2018

Chandra Mohan Nagarathinam Educational Trust
By Trustee Mrs.C.Nagarathinam
417, Trichy Main Road, Gugai,
Salem.

... Appellant / Appellant / Defendant

-VS-

P.R.Charitable Trust,
By Managing Trustee,
P.Oblirajan,
D.No.418, Trichy Main Road,
Salem – 6.

... Respondent / Respondent / Plaintiff

PRAYER: Second Appeal is filed under Section 100 of CPC, pleased to set aside the judgment and decree dated 21.11.2016 in A.S.No.33 of 2014 passed by II Additional District Judge, Salem confirming the judgment and decree of the Principal Sub Judge, Salem in O.S.No.59 of 2011 dated 18.12.2013 and allow the appeal.



S.A.No.651 of 2018

For Appellant : Mr.R.Ragoth
for Mr.K.Selvaraj

For Respondent : Mr.T.S.Vijayaraghavan

JUDGMENT

Mr.R.Ragoth, representing counsel for Mr.K.Selvaraj, counsel on record for the appellant is before this Court. Mr.T.S.Vijayaraghavan, counsel on record for the respondent appears before this Court through video conferencing mode.

2. The appellant's trust represented by its Trustee Mrs.C.Nagarathinam and the respondent Trust represented by its Trustee Mr.P.Oblirajan appear before this Court through video conferencing mode. Both the counsels have identified the parties.

3. Both sides filed a joint memo dated 01.10.2024 signed by both the parties with their respective counsels. Contents of the joint memo has been read over and explained to both the parties. Both the parties agree the contents of the joint memo. Hence, the joint memo is recorded. A scanned reproduction of the same is as follows:



S.A.No.651 of 2018

IN THE HIGH COURT OF JUDICATURE OF MADRAS
(Appellate Jurisdiction)

S.A. No. 651 of 2018

Chandra Mohan Nagarathinam
Educational Trust, rep. by its
Trustee Mrs. C. Nagarathinam
417, Trichy Main Road, Gugai
Salem

For Chandramohan Nagarathinam Charitable Trust
[Signature]
...Appellant Managing Trustee

- Vs -

P.R. Charitable Trust,
rep. by its Managing Trustee,
P. Oblirajan, D. No. 418,
Trichy Main Road, Gugai, Salem

For P. R. Charitable Trust
[Signature]
...Respondent Managing Trustee

JOINT MEMO FILED BY THE APPELLANT AND THE RESPONDENT

The Appellant & the Respondent above named begs to submit as follows:

The Appellant states that nothing survives in the above appeal as the respondent has taken possession of the suit property. The Appellant and Respondent therefore states that as such they have no claims whatsoever against each of them in O.S.No.59 of 2011 and the suit property and this memo is filed to place on record the said fact.

Dated at Chennai on this the 1st day of October, 2024

For Chandramohan Nagarathinam Charitable Trust
[Signature]
Appellant Managing Trustee

[Signature]
Counsel for the Appellant

For P. R. Charitable Trust
[Signature]
Managing Trustee
Respondent

[Signature]
Counsel for the Respondent



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4. The joint memo shall form part of this judgment. In view of the joint memo, this second appeal is disposed of. No costs. Consequently, connected civil miscellaneous petition is closed.

18.10.2024

rna

Index : Yes / No

Internet : Yes / No

Neutral Citation: Yes / No

To

1.The II Additional District Judge, Salem.

2.The Principal Sub Court, Salem.



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R.SAKTHIVEL,J

rna

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