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S.A.(MD).No.117 of 2024

THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.03.2024

CORAM:

THE HONOURABLE **MRS.JUSTICE S.SRIMATHY**

S.A.(MD).No.117 of 2024

and

C.M.P.(MD)No.3005 of 2024

Papayee Ammal

... Appellant

/Vs./

1.Velusamy

2.Palaniammal

...Respondents

PRAYER: Second Appeal filed under Section 100 of the Civil Procedure Code against the Judgment and Decree passed in A.S.No.4 of 2017 on the file of the Additional District Court / Fast Track Mahila Court, Karur, dated 29.12.2017, reversing the well considered the impugned Judgment and Decree passed in O.S.No.369 of 2009 on the file of the Principal District Munsif, Karur, dated 28.11.2011.

For Appellant : Mr.R.Balakrishnan

For Respondents : Mr.C.Karthikeyan

JUDGMENT

This case is posted before this Court “for admission.”

2.It is submitted that the parties have entered into a compromise and they have filed a joint compromise memo to this effect. The contents of the joint



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compromise memo is extracted hereunder:

“JOINT COMPROMISE MEMO

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1) The above Second Appeal has been filed challenging the Judgment and Decree passed in A.S.No.31 of 2012 on the file of the Sub Court, Karur reversing the Judgement and Decree passed in O.S.No.369 of 2009 on the file of the Principal District Munsif, Karur.

2) The Appellant and Respondents don't want to prolong the litigation and they at the instance of the elders of both the parties, they are settling the issue on the following terms.

i) The Appellant and Respondents wants to equally share the suit schedule property equally. The Appellant is entitled to undivided $\frac{1}{2}$ share in the suit schedule property forming the subject matter of the suit in [O.S.No. 369 of 2009](#) on the file of the Principal District Munsif, Karur and the Respondents are jointly entitled to undivided $\frac{1}{2}$ share in the suit schedule property forming the subject matter of the suit in O.S.No.369 of 2009 on the file of the Principal District Munsif, Karur.

ii) On the above terms, the Appellants and respondents are prayed for the decree.

Therefore it is prayed that this Hon'ble court may be pleased to accept the compromise memo and pass orders accordingly.

Dated at Madurai on this the 1st of day of March, 2024.

Sd/-

Respondents

Sd/-

Appellant



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Sd/-

Counsel for Respondents

Sd/-

Counsel for Appellant”

3.The parties have agreed to sell the suit scheduled property and to share the profit equally. Therefore, recording the said joint compromise memo, the second appeal is disposed of. The joint compromise memo shall form the part and parcel of the judgment and decree.

4.Hence, the second appeal is disposed of based on the terms of joint compromise memo. No costs. Consequently, connected miscellaneous petition is closed.

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Index : Yes / No
NCC : Yes / No

Tmg

TO:

1. Additional District Court /
Fast Track Mahila Court, Karur.
2. Principal District Munsif, Karur.
- 3.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY, J.

Tmg

Judgment made in
S.A.(MD)No.117 of 2024

Dated:
04.03.2024