



C.RP(MD)No.1345 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated:01.08.2024

CORAM

**THE HONOURABLE MR JUSTICE D.BHARATHA
CHAKRAVARTHY**

C.R.P(MD)No.1345 of 2022

and

C.M.P(MD)No.5581 of 2022

M.Chellathurai(Died)

..Petitioner/Petitioner/
Appellant

2.Thankam

3.Mahendran

4.Pratheesh

5.Mabeetha

(P2 to P5 are brought on record as
LRs of the deceased sole Petitioner
vide Court order dated 03.07.2024)

Vs.

V.Azhappa Pillai

..Respondents/Respondent/
Respondent

Civil Revision Petition is filed under Section 115 of the
Code of the Civil Procedure, to set aside the fair and decreetal
order made in I.A.No.1 of 2019 in A.S.SR.No.989 of 2019 on the



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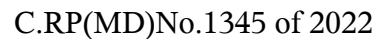
file of the Principal District Judge, Kanyakumari at Nagercoil,
dated 28.04.2022.

For Petitioner :Mr.C.Sankar Prakash
For Respondents :Mr.M.Dennis Joe

ORDER

When this matter came up for hearing on 26.07.2024, a detailed order has been passed by this Court and the same is extracted here under:

“Today, a compromise memo was sought to be filed and all the parties to the civil revision petition are present both physically and virtually. This Court examined each of the parties with reference to the memorandum of compromise. Thankam, Mahendran and Mabeetha appearing before this Court virtually submitted that they have voluntarily signed the compromise memo and they have voluntarily agreed for the terms of compromise and upon questioning by this Court, they seems to have understood the scope of compromise and the terms of compromise. Pratheesh/4th petitioner and V.Azhappa Pillai/respondent are present before this Court physically. Upon examining them, they also agreed for



2. The Court could have recorded the compromise memo itself today. But, however, it is seen that in some of the pages signatures are missing. Therefore, the matter is again posted to 01.08.2024.

3. Both sides learned counsel alone can present the memorandum of compromise duly signed by all the parties on all pages on that day and the memorandum of compromise will be recorded on the said date and consequential orders will be passed.”

2. In view thereof, today the same memorandum of compromise, after being signed by the parties on all pages is filed. The learned counsel are present. It is the very same memorandum of compromise, which this Court dealt with on the earlier date, is being filed today.



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3.In view thereof, the Civil Revision Petition is disposed of by recording the Joint Memorandum of Compromise. The terms of compromise shall form part of the order. The suit itself stands decreed. No costs. Consequently, connected miscellaneous petition is also closed.

01.08.2024

NCC:Yes/No

Ns

To
The Principal District Judge,
Kanyakumari at
Nagercoil,



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D.BHARATHA CHAKRAVARTHY, J.

Ns

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and
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01.08.2024