

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED : 06.09.2024****CORAM****THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN****S.A.(MD)Nos.114 & 121 of 2018**S.A.(MD)No.114 of 2018

S.Ganesan

... Appellant / Appellant /
Plaintiff

Vs.

1. V.Devendran(died)

... 1st Respondent/ Respondent /
Defendant

2. D.Jansirani

3. D.Voltaire

(Respondents 2 & 3 are *suo motu* impleaded as LR's. of the
deceased first respondent vide order dated 20.08.2024) ... Respondents 2 and 3

PRAYER : Second appeal filed under Section 100 CPC., to set aside the judgment and decree of the lower appellate Court dated 15.07.2016 passed in A.S.No.2 of 2008 on the file of the Subordinate Judge, Srivilliputhur, confirming the judgment and decree of the trial Court dated 29.06.2007 passed in O.S.No.188 of 2001 on the file of the Additional District Munsif, Srivilliputhur and allow the present second appeal.



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S.A.(MD)No.114 of 2018

For Appellant

: Mr.M.R.Sreenivasan,
for Mr.R.Nandakumar.

For R-1

: Mr.V.Sebastinal Preethi

S.A.(MD)No.121 of 2018

1. V.Devendran(died)

... Appellant / Appellant /
Defendant

2. D.Jansirani

3. D.Voltaire

(Appellants 2 & 3 are *suo motu* impleaded as LR's. of the
deceased first appellant vide order dated 20.08.2024) ... Appellants 2 and 3

Vs.

S.Ganesan

... Respondent/ Respondent /
Plaintiff

PRAYER : Second appeal filed under Section 100 CPC., to set aside the judgment and decree of the lower appellate Court dated 15.07.2016 passed in A.S.No.70 of 2007 on the file of the Subordinate Judge, Srivilliputhur, confirming the judgment and decree of the trial Court dated 29.06.2007 passed in O.S.No.188 of 2001 on the file of the Additional District Munsif, Srivilliputhur and allow the present second appeal.

For Appellants

: Mr.V.Sebastinal Preethi

For R-1

: Mr.M.R.Sreenivasan,
for Mr.R.Nandakumar.



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COMMON JUDGMENT

Both the second appeals arise out of O.S.No.188 of 2001 on the file of the Additional District Munsif, Srivilliputhur.

2. Devendran, the original plaintiff passed away and his legal heirs (wife and son) have come on record. The parties have amicably settled the issue. The joint compromise memo dated 05.09.2024 has been filed. The photographs have been enclosed along with the joint compromise memo. The impugned judgments and decrees are set aside and both the second appeals are disposed of in terms of the joint compromise memo dated 05.09.2024. The joint compromise memo along with the enclosed photographs will form part of the decrees. No costs.

06.09.2024

Index : yes/No
Internet: Yes/No
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S.A.(MD)No.114 of 2018

G.R.SWAMINATHAN,J.

PMU

To

1. The Subordinate Judge,
Srivilliputhur.
2. The Additional District Munsif,
Srivilliputhur.
3. The Record Keeper, V.R.Section,
Madurai Bench of Madras High Court,
Madurai.

S.A.(MD).Nos.118 & 121 of 2018

06.09.2024