



S.A.(MD)No.342 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.09.2024

CORAM

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

S.A.(MD)No.342 of 2024 and
CMP(MD) No.7848 of 2024

V.Lakshmi

Appellant

Vs

1.G.Arunachalam
2.P.Vadamalai

Respondents

PRAYER :- Second Appeal filed under Section 100 of Code of Civil Procedure, as against the judgment and decree of the II Additional District and Sessions Judge, Thanjavur, dated 22.03.2021 passed in A.S.No.37 of 2018, confirming the decree and judgment of the Additional Sub Judge, Thanjavur, dated 21.03.2018, passed in O.S.No.49 of 2014.

For Appellant : Mr.S.Jayachandran
For R1 : Mr.M.P.Senthil



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J U D G M E N T

This second appeal is filed as against the concurrent findings of the Courts below.

2.The first defendant in O.S.No.49 of 2014 is the appellant herein. The above suit has been filed by the plaintiff/the first respondent herein, as against the appellant and her husband for a relief of recovery of money. The plaintiff is a Mazon, who is said to have constructed a house for the appellant and the second defendant in the year 2012, for which, the amount has not been settled by them. Therefore, the first respondent/plaintiff has filed the above suit for recovery of money and the same was decreed in favour of the plaintiff by the Sub Court Thanjavur, by its judgment and decree, dated 21.03.2018. Challenging the same, the first defendant has filed an appeal before the II Additional District and Sessions Court, Thanjavur in A.S.No.37 of 2018 and it was dismissed by the first Appellate Court by its Judgment and decree,



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dated 22.03.2021. Pending the appeal, it appears that the second defendant, the husband of the appellant died and therefore, this second appeal is filed by the wife of the second defendant.

3.Considering the issue in this Second Appeal, this Court, by order, dated 11.07.2024 referred the matter to the Mediation Centre attached to this Court. In the mediation, the appellant has settled the dues to the plaintiff, thereby, the issue between the parties have been amicably settled. The mediation report along with the settlement arrived between the parties is placed before this Court. As per the settlement agreement, dated 23.08.2024, the following settlement has been arrived between the parties:-

6. The following settlement has been arrived between the parties hereto:

- a) Both the parties agreed for an amicable settlement.*
- b) The Appellant agreed to pay a sum of Rs. 2,20,000/-(Rupees Two Lakhs Twenty*



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Thousand only) and paying the amount.

c) The respondent received the amount and acknowledged the same.

d) There is no further claims between the parties.

e) On the terms of the above compromise the appeal may be disposed.

7. By signing this Agreement, the Parties hereto state that they have no further claims or demands against each other with respect S.A.(MD)No.342 of 2024 and all disputes and differences in this regard that have been amicably settled by the Parties hereto through the process of Mediation."

4. Recording the settlement arrived between the parties through Mediation, this Second Appeal is closed. No costs.

05.09.2024

NCC : Yes/No
Index : Yes/No
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Note: Issue order copy on **09.09.2024**



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To

- 1.The II Additional District and Sessions Judge, Thanjavur.
- 2.The Additional Sub Judge, Thanjavur.
- 3.The Section Officer,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

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Judgment made in
S.A.(MD)No.342 of 2024 and
CMP(MD) No.7848 of 2024

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