



A.S(MD)No.19 of 2017

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 27.03.2024

CORAM:

THE HON'BLE MR.JUSTICE **P. DHANABAL**

A.S(MD)No.19 of 2017

Periyasamy ... Appellant/1st Defendant

Vs.

1.Devika ... 1st Respondent/Plaintiff

2.Balamani

3.Lakshmi ... 2nd and 3rd Respondents/
2nd and 3rd Defendants

Prayer : This Appeal Suit filed under Order 41, Rule 1 and 2 of CPC r/w Section 96 of CPC, to set aside the judgment and decree made in O.S.No. 148 of 2013 on the file of the II Additional District Court, Tiruchirappalli, dated 10.03.2016, by allowing the First Appeal.

For Appellant : Mr.M.Ashok Kumar

For R-1 : Mr.H.Lakshmi Shankar

For R-2 & R-3 : No appearance



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JUDGMENT

WEB COPY When the matter is taken up today for hearing, both the Counsels appearing for either parties, represented that the matter has been settled between the parties and the first respondent / plaintiff, namely, Devika received a sum of Rs.50,00,000/- (Rupees Fifty Lakhs only) from the appellant / first defendant by way of two cheques in lieu of her 1/3 share over the suit properties. The first respondent / plaintiff also appeared before this Court and represented that as per settlement between them, she received a sum of Rs.50,00,000/- (Rupees Fifty Lakhs only) through two cheques each for Rs.25,00,000/- from the appellant / first defendant towards her 1/3 share over the suit properties and also she has no objection to allow this appeal and prayed to allow this appeal. Further she also produced the xerox copies of cheques.

2. In view of the above said submissions and the settlement, this appeal suit stands allowed and the judgment and decree passed in O.S.No. 148 of 2013 by the Trial Court, dated 10.03.2016 are set aside and the suit is dismissed. There shall be no order as to costs.

27.03.2024



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WEB COM

NCC : Yes / No

Index : Yes / No

Internet : Yes

BTR

To

- 1.The II Additional District Court,
Tiruchirappalli.
- 2.The Section Officer,
Vernacular Record Section,
Madurai Bench of Madras High Court,
Madurai.



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P. DHANABAL, J.

BTR

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