



S.A.No.1533 of 2000

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.06.2024

CORAM:

THE HONOURABLE MR.JUSTICE **S.SOUNTHAR**

S.A.No.1533 of 2000
and
C.M.P(MD)No.14370 of 2000

The Parish Priest,
Saint Maris Cathedral,
Post Box No.3, Kumbakona, Tanjore District.

...Appellant

-Vs-

1.Lilly Francis
2.Petre Selvraj (Died)
3.Merai Wilson Balan
4.Reginal Paul
5.Isabellah Mary
6.Johuwa
7.Mona
8.Janet Medona

... Respondents

(Respondents 5 to 7 were brought on record as legal heirs of the deceased second respondent vide order of this Court, dated 26.03.2013 in C.M.P(MD)Nos.1091 to 1093 of 2004.

Respondent No.8 was brought on record as legal heir of the deceased third respondent vide order of this Court, dated 09.02.2024 in C.M.P.(MD)No.3652 of 2023)



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PRAYER: Second Appeal is filed under Section 100 of the Code of Civil Procedure, to set aside the judgment and decree, dated 30.11.1999 on the file of the learned Additional District Judge – cum - Chief Judicial Magistrate, Tanjore at Kumbakonam in A.S.No.7 of 1999 allowing the appeal and reversing the judgment and decree of the learned Subordinate Judge, Kumbakonam in O.S.No. 128 of 1991, dated 18.01.1999.

For Appellant : Mr.N.Dilip Kumar
For R1, R4 to R8 :Mr.C.Murugavel
R2 and R3 :Died

JUDGMENT

When the matter is taken up for hearing, the learned Counsel appearing for the appellant and the respondents filed a joint compromise memo signed by the appellant as well as the Respondents 1 and 4 to 8. The respondents 2 and 3 are reported dead.

2.As per the terms of the joint compromise memo, the respondents admitted the right of the appellant over the suit property and further, they also agreed not to claim any right or interest over the suit schedule property. The signatures of the parties are identified and counter signed by the respective Counsels. Therefore,



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WEB COPY this Court is inclined to record the compromise.

3.The Second Appeal is disposed of in terms of the joint compromise memo, dated 23.04.2024 and the joint compromise memo shall form part of the decree. No costs. Consequently, connected miscellaneous petition is closed.

12.06.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

cmr

To

- 1.The Additional District Judge – cum -
Chief Judicial Magistrate, Tanjore.
- 2.The Subordinate Judge, Kumbakonam.
- 3.The Record Keeper,
V.R.Section,
Madurai Bench of Madras High Court,
Madurai.



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