



A.S.No.151 of 2024

THE HIGH COURT OF JUDICATURE AT MADRAS

Date :12.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

A.S.No.151 of 2024

M.K.Murali

... Appellant

Versus

Vijayalakshmi

... Respondent

PRAYER : This Appeal Suit has been filed under section 96 read with under Order XI Rule 1 of Code of Civil Procedure to set aside the judgment and decree dated 03.11.2023 made in O.S.No.133 of 2020 by the Additional District Judge, Krishnagiri.

For Appellant : Mr.T.S.Baskaran

For Respondent : Mr.J.Pradeep



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JUDGMENT

Challenge has been made to the decree and judgment of the trial Court decreeing the suit filed by the plaintiff for specific performance and permanent injunction, in the present Appeal Suit.

2. When the matter is taken up today, the appellant and the respondent are present before this court. They have filed a joint memo of compromise dated 16.11.2024 and both of them have agreed that they had signed in the documents. The appellant and the respondent have been identified by their respective counsel.

3. In the joint compromise memo filed by the parties dated 16.11.2024, it is stated as follows :

i] Both parties agrees that the judgment and decree passed in O.S.No.133 of 2020 on the file of the Additional District Court, Krishngiri shall stand set aside and the above appeal in A.S.No.151 of 2024 shall stand allowed.



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ii] The respondent / plaintiff hereby agrees that she has no claim over the suit property forming the subject matter in O.S.No.133 of 2020 and that her interest has been fully settled outside the Court.

iii] The respondent/plaintiff hereby acknowledge the receipt of the amount paid by the appellant/defendant towards full and final settlement of all her claim in the suit in O.S.No.133 of 2020.

iv] The respondent/plaintiff hereby agrees that she shall not make any claim over the suit property which is the subject matter in O.S.No.133 of 2020.

v] The respondent / plaintiff hereby admit and acknowledge that the appellant / defendant is the absolute owner of the suit property and she is giving up all her claims in the suit property in O.S.No.133 of 2020

vi] The respondent/plaintiff hereby confirms the sale of suit property in favour of the appellant/defendant is valid and binding on the respondent/ plaintiff.



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vii] Both the parties shall bear their own costs.

4. In such view of the matter, as the parties have settled the dispute between them in terms of the joint memo compromise filed before this Court, the Appeal Suit is disposed of in terms of the joint compromise memo filed by the parties dated 16.11.2024 and the decree and judgment of trial Court in O.S.No.133 of 2020 dated 03.11.2023 are set aside. The joint Compromise Memo filed by the parties shall form part of the decree. The registry is directed to refund the Court fees as per rules.

12.02.2025

Index : Yes / No

Internet: Yes

Speaking/non speaking order

VRC

To,

The Additional District Judge,
Krishnagiri.

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N. SATHISH KUMAR, J.

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