



WEB COPY



A.S.No.269 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.04.2025

CORAM

THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

A.S.No.269 of 2023 and
C.M.P.Nos.10296 and 10300 of 2023

M.Kasturi

... Appellant/Defendant

-VS-

B.Sukumar

... Respondent/Plaintiff

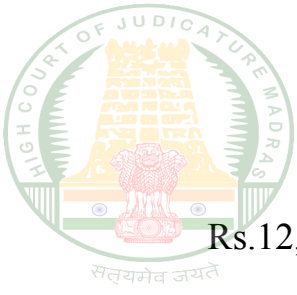
Prayer: Appeal Suit is filed under Section 96 r/w Order XLI Rule 1 of CPC to set aside the judgment and decree dated 17.10.2022 passed in O.S.No.54 of 2018 on the file of Additional District Judge, Chengalpet and thereby allow the appeal.

For Appellant : Mr.R.Anand Kumar

For Respondent : Mr.N.Nagu Sah

J U D G M E N T

Aggrieved over the decree and judgment of the Trial Court, directing the defendant to pay a sum of Rs.16,45,500/- to the plaintiff with subsequent interest @ 9% interest p.a. on the principal sum of



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Rs.12,00,000/- from the date of suit till the date of decree and thereafter @

6% p.a. till the date of realization together with costs of the litigation, the present appeal came to be filed.

2. When the matter is taken up for hearing, the appellant/defendant and the respondent/plaintiff, who all appeared before this Court physically and are identified by their respective counsel, have filed a Joint Memorandum of Compromise dated 08.04.2025, wherein it has been stated that the matter has been settled out of Court and the plaintiff/respondent has received a sum of Rs.19,69,575/- in full quit, which has been affirmed by the plaintiff/respondent herein. The plaintiff has agreed to cancel the Mortgage Deed within 15 days from the date of receipt of a copy of this judgment.

3. At this juncture, learned counsel for the appellant submitted that since the matter has been settled out of the Court, he prayed for return of the Court Fee.



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4. Recording the Joint Memorandum of Compromise dated

08.04.2025 filed by the parties and also the statement made by the respondent/plaintiff herein-above, the instant Appeal Suit is dismissed as settled out of the Court. Registry is directed to return the Court Fee as per Rules. No costs. Consequently, connected Miscellaneous Petitions are closed.

08.04.2025

Index: Yes / No
Internet: Yes / No
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To:

1. The Additional District Judge,
Chengalpet.
2. The Section Officer,
V.R.Section,
High Court,
Madras.



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N.SATHISH KUMAR,J.,

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