



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-08-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CMA No. 913 of 2025

AND

CMP NO. 7376 OF 2025

V. Pathalamuthu
S/o. Vairavan,
Proprietor of M/s. K.R. Guhan Studio,
No.140, Rajagopalan Street, Devi
Karumariamman Nagar, Chennai 87.

Appellant

Vs

Sekar
S/o. N. Varadarajan,
No.10, V.N.S. Nagar, Sirkali main
Road, Chidambaram 608001.

Respondent

PRAYER:- Civil Miscellaneous Appeal filed under Order 43 Rule 1(r) of Civil Procedure Code, praying to set aside the fair and decretal order dated 13.11.2024 passed in IA No.3 of 2024 in OS No.447 of 2023 on the file of the IIIrd Additional District Judge Poonamallee.



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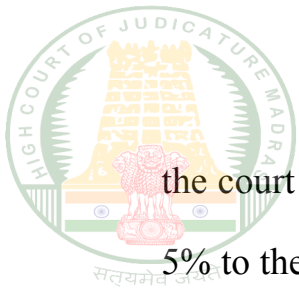
For Appellant: Mr.N.Suriyamuthu

For Respondent: Mr.P. Vasanth

JUDGMENT

Today, when the matter taken up for hearing, the learned counsel for appellant appeared and the respondent appeared in person along with his counsel and submitted that both parties have arrived a settlement between them and to that effect, a joint memorandum of compromise entered between them was produced.

2. In terms of joint memorandum of compromise, the appellant/tenant vacated the premises and handed over the key to the respondent today. In turn, the respondent submitted two demand drafts for a sum of Rs.8,00,000/- as per the terms of agreement and those demand drafts were handed over to the appellant, which was accepted by him. As per the terms of Joint Memorandum of Compromise, both parties have agreed to withdraw their cases. However, as per the terms, those two suits in O.S.Nos.347 of 2022 and 447 of 2023 are to be disposed of as ended in compromise between the parties. Since compromise arrived between the parties, the plaintiff in O.S.No.447 of 2023 is entitled to get



the court fee. Accordingly, the trial judge is directed to refund the court fee less 5% to the plaintiff within a period of two weeks from the date of receipt of copy of this judgment. The joint memo of compromise entered between the appellant and respondent shall be forming part and parcel of this Judgment. Furthermore, it is made clear that there is no further claim between the appellant and respondent. Accordingly, this Civil Miscellaneous Appeal is disposed of. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

08-08-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To

1. III Addl. District Judge, Poonamallee.

2. Section Officer, VR Section, Madras High Court.



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T.V.THAMILSELVI J.

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