



S.A.No.136 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.09.2025

CORAM:

THE HONOURABLE MRS.JUSTICE K.GOVINDARAJAN
THILAKAVADI

S.A.No.136 of 2024

1.Palaniammal @ Chinnammal
2.Shanthi
3.Santhiya

... Appellants

Vs.

1.Chandrasekar
2.Rangammal

...Respondents

PRAYER: Second Appeal filed under Section 100 of Civil Procedure Code, seeking to set aside the judgment and decree dated 30.11.2021 made in A.S.No.13 of 2016 on the file of the learned Sub Court Rasipuram, confirming decree and judgment dated 13.04.2016 in O.S.No.53 of 2009 on the file of the District Munsif, Rasipuram.

For Appellants : Mr.K.Balaji
For Respondents : Mr.R.Prabakar for R1 & R2



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ORDER

This Second Appeal has been filed to set aside the judgment and decree dated 30.11.2021 made in A.S.No.13 of 2016 on the file of the learned Sub Judge Rasipuram, confirming decree and judgment dated 13.04.2016 in O.S.No.53 of 2009 on the file of the District Munsif, Rasipuram.

2. A joint compromise Memo is filed by the learned counsel for the appellants and the respondents dated 26.09.2025 entered into between the parties. The terms of the Memo of compromise were read over to the involved parties, and they accepted the same. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves. The parties admit their signatures in the Compromise agreement. The scanned reproduction of the joint Compromise memo is as hereunder:



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JOINT COMPROMISE MEMO FILED UNDER OR. 23 RULE 3 OF
CPC

1. It is submitted that the parties are referred as per the ranking before the trial court. The Plaintiffs are the Appellants, the Defendants are the respondents in the above Second Appeal.
2. The Plaintiffs filed suit in O.S.No. 53/2009 on the file of the District Munsif Court, Rasipuram, Namakkal District seeking declaration of title and consequential injunction, declaration of settlement deed dated 27/05/2008 executed by the 2nd defendant in favour of the 1st defendant as null and void and consequential injunction against the defendants in respect of subject matter property of the suit.
3. The suit in O.S.No. 53/2009 on the file of the District Munsif Court, Rasipuram was dismissed after contest by judgment and decree dated 13/04/2016. Challenging the same the Plaintiffs filed Appeal in A.S No. 13/2016 before Subordinate Court, Rasipuram and the said appeal was also dismissed by judgment and decree dated 30/11/2021.
4. The plaintiffs have filed the above appeal challenging the judgment and decree of both the courts. The plaintiffs and Defendants are close relatives. They held negotiations during the pendency of the above second Appeal. After deliberation the plaintiffs and defendants have arrived at settlement and to give quietus to the longstanding dispute.

V. Sharda
J. Santhia.

Appellants

B. R. S. S. S.
S. S. S. S.

Respondents.



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5. The terms of the settlement are as follows:

- a. As per the terms of settlement 2nd Appellant (Shanthi) only entitled to the below mentioned suit schedule property in which she is already in possession and enjoyment. The 3rd appellant and the respondents agreed that hereafter, they have no right in the subject property. The 2nd appellant has no other house to reside and also both the parties are very close relatives, 3rd appellant is the daughter of the 2nd appellant, therefore the 3rd appellant and the respondents have not claimed any right over the subject property.
- b. The respondents/defendants and the 3rd appellant prays to allow the second Appeal by setting aside the judgment and decree in O.S No. 53/2009 dated 13/04/2016 on the file of DMC Rasipuram, and judgment and decree in A.S No. 13/2016 file of the Sub court, Rasipuram and decree and suit as per the terms of joint compromise and thus render justice.
- c. The defendants and the 3rd appellant have no further claim over the subject matter suit property, which is described hereunder.

V. Shanthi
J. Santhika.

Appellants

B. S. S. S. S.

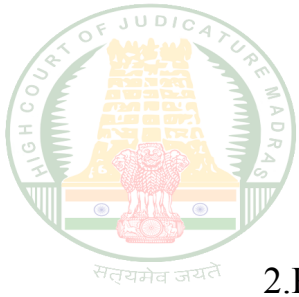
60/10/2024
Respondents.

V. S. S. S.

Counsel for Appellants.

R. S. S. S.

Counsel for Respondents



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2.Recording of the said memo and endorsement made by the learned counsel for the appellants, the Second Appeal stands disposed of in terms of compromise and the same will form part of the decree. No costs. Consequently, connected miscellaneous petitions are closed.

26.09.2025

Index:Yes/No
Internet:Yes/No
vsn

To

- 1.The Sub Judge Rasipuram
- 2.The District Munsif, Rasipuram.
- 3.The Section Officer, V.R.Section, High Court, Madras.



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K.GOVINDARAJAN THILAKAVADI

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