



A.S(MD)No.36 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 12.08.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

**A.S(MD)No.36 of 2023
and
C.M.P(MD)No.2015 of 2023**

A.K.S.Sadiq Batcha

... Appellant /
1st Defendant

Vs.

1.V.Raju

... 1st Respondent /
Plaintiff

2.A.KJ.S.Mohammed Eqbal

3.M.I.Sabia Begum

*(Cause title is accepted vide order
of this Court dated 10.08.2022)*

... Respondents 2 & 3 /
Defendants 2 & 3

Prayer: Appeal Suit filed under Order 41 Rule 1 r/w Section 96 of CPC to allow the appeal by setting aside the judgment and decree dated 31.10.2018 passed in O.S.No.31 of 2012 on the file of I Additional District Judge (PCR), Trichirappalli.



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For Appellant : Mr.J.Anandkumar

For Respondents : Mr.V.Janakiramulu for R.1

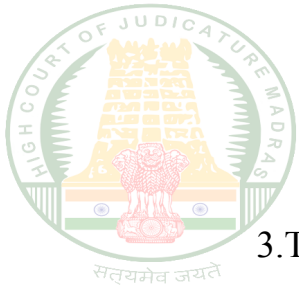
No Appearance for R.2 & R.3

JUDGMENT

(By G.R.SWAMINATHAN, J.)

The defendant in O.S.No.31 of 2012 on the file of I Additional District Judge, Trichirappalli is the appellant herein. The suit was for the relief of specific performance. The learned trial Judge vide judgment and decree dated 31.10.2018 denied the relief of specific performance but granted the alternate prayer for the refund of the advance amount with interest.

2.When the matter was taken up for final hearing, we called upon the parties to arrive at a settlement between themselves out of the Court. Pursuant to this suggestion, the parties entered into an agreement and have filed a joint memo of compromise. The memo is also signed by the respective counsel. The parties are present and confirm that the compromise was entered into voluntarily.



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3.This Appeal Suit is disposed of in terms of joint memo of compromise dated 12.08.2025. Since the matter has been settled amicably out of Court, we direct the Registry to refund the Court fee by remitting it in the account of the plaintiff. The plaintiff is directed to provide the necessary details to the Registry in the meanwhile. This is agreed to by the appellant. The Execution Petition filed by the plaintiff shall be kept in abeyance till the appellant discharges all his obligations as per the memo of compromise. The compromise memo shall form part of the decree.

4.This Appeal Suit is disposed of accordingly. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

[G.R.S., J.] [K.R.S., J.]
12.08.2025

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

To

I Additional District Judge (PCR),
Trichirappalli.

Note: Issue order copy on 18.08.2025.



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and

K.RAJASEKAR, J.

MGA

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