



A.S.(MD)No.89 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 14.03.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN**

**A.S.(MD)No.89 of 2021
and
C.M.P.(MD)No.3223 of 2021**

1.K.Nagarajan
2.Kalyani
3.K.Jeyasankar
4.K.Sugumaran
5.Kamatchi
6.Banupriya
7.Valli
8.Nagarathinam
9.Kala

... Appellants /
Defendants 1 to 10

Vs.

1.M.Jeeva

... 1st Respondent /
Plaintiff

2.Kannadisamy

... 2nd Respondent /
Defendant No.11

Prayer : Appeal Suit filed under Section 96 of Civil Procedure Code read with Order 41 Rule 1 of C.P.C to set aside the judgment and decree



A.S.(MD)No.89 of 2021

in O.S.No.160 of 2015 dated 21.02.2020 passed by the Court of the learned IV Additional District Judge, Madurai.

For Appellants : Mr.M.Seeni Sulthan

For Respondents : Mr.S.Rajasekar

JUDGMENT

(Judgment of the Court was made by G.R.Swaminathan J.)

Heard both sides.

2.Thiru.M.Jeeva, S/o.Machakalai filed O.S.No.160 of 2015 on the file of IV Additional District Judge, Madurai for recovering a sum of Rs.35,00,000/- (Rupees Thirty Five Lakhs only) with interest from the defendants. The suit was decreed as prayed for on 21.02.2020. Questioning the same, the defendants filed this appeal. Interim stay was granted on condition that 50% of the decretal amount should be deposited. The condition was complied with by the appellants / defendants.



A.S.(MD)No.89 of 2021

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3. When the matter was taken up for final hearing, we indicated to the counsel on either side that the issue deserves to be settled. Upon the counsel granting their consent, the matter was referred to the Tamil Nadu Mediation and Conciliation Centre annexed to the Madurai Bench. We are happy to note that all the outstanding issues were amicably settled. Settlement agreement was entered into between the parties on 11.03.2025. Therefore, the impugned judgment and decree passed by the Court below is set aside.

4. This Appeal is disposed of in terms of the compromise arrived at between the parties. The settlement agreement dated 11.03.2025 shall form part of the decree. Since the matter has been settled based on the compromise between the parties, Registry is directed to refund the Court fee paid by the appellants. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.S. J.) & (M.J.R. J.)
14.03.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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A.S.(MD)No.89 of 2021

G.R.SWAMINATHAN, J.

and

M.JOTHIRAMAN, J.

MGA

To:

IV Additional District Judge, Madurai.

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