



S.A.(MD)No.353 of 2018

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.08.2025

CORAM

THE HON'BLE DR. JUSTICE A.D. MARIA CLETE

S.A.(MD)No.353 of 2018

and

C.M.P.(MD)No.10105 of 2018

Thomas Gousik,
S/o.Anthonisamy,
No.7/234-A, Dharmarajapuram Village,
Palayanhkottai Taluk,
Tirunelveli District.

... Appellant

Vs.

Alphonse,
S/o.Rajamani Nadar,.
N0.3/38E, Komaneri Road,
South Peikulam, .
Srivenkatesapuram Village,
Sattankulam Taluk,
Thoothukudi District.

... Respondent

PRAYER in S.A:

The Second Appeal filed under Section 100 Cr.P.C., to set aside the decree and the judgment dated 03.07.2018 rendered in A.S.No.132 of 2017 on the file of the Subordinate Judge, Thiruchendur, modifying the decree and the judgment dated 26.03.2013 rendered in O.S.No.30 of 2010 on the file of the District Munsif, Sathankulam, by allowing the Second Appeal and to grant such other relief or reliefs that this



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Honourable Court may deem fit and proper in the circumstances of the case and thus render justice.

PRAYER in C.M.P.:

To pass an order of temporary injunction restraining the respondent, his men, agent, servant or any one claiming on his behalf from in any way put up any further or other construction, or alter the nature of the property pertaining to the Schedule 4 forming part of schedule 3 property being the subject matter of the suit in O.S.No.30 of 2010 on the file of the District Munsif, Sattankulam, pening disposal of the above Second Appeal and thus render justice.

For Appellant : Mrs.P.Jessi Jeeva Priya, Advocate

For Respondent : Mr.M.P.Senthil, Advocate

JUDGMENT

Heard.

2. This Second Appeal arises from the judgment and decree dated 03.07.2018 in A.S. No. 132 of 2017 on the file of the Subordinate Judge, Thiruchendur, which modified the judgment and decree dated 26.03.2013 in O.S. No. 30 of 2010 on the file of the District Munsif Court, Sathankulam.



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3. Both learned counsel for the appellant and the respondent are present. The parties are also present in Court. A Memorandum of Compromise, dated 11.08.2025 duly signed by the parties and their respective counsel, has been filed.

4. The contents of the Memorandum of Compromise have been explained to the parties and acknowledged that they have understood the terms in full and that they have entered into the compromise.

5. In view of the compromise memo filed, the second appeal is disposed of in accordance with the terms of the compromise memo. The Memorandum of Compromise shall form part and parcel of this decree. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

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

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To

- 1.The Subordinate Judge,
Thiruchendur.
- 2.The District Munsif,
Sathankulam.
- 3.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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DR.A.D. MARIA CLETE,J.

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