



WEB COPY

SA No. 194 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-02-2026

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THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

SA No. 194 of 2021

and CMP.No.3897 of 2021

K.Elumalai

..Appellant(s)

Vs

Vasuki

..Respondent(s)

To set aside the Judgment and Decree dated 11.02.2020 made in AS No.40 of 2017 on the file of Additional District Court (FTC) Arani, Thiruvannamalai District by reversing the Judgment and Decree dated 12.01.2016 in OS No.14 of 2011 on the file of Sub Court, Cheyyar, Thiruvannamalai District.

For Appellant(s):

MS. G.A.GIRIJA VENKATARAMANAN

For Respondent(s):

MR.S.NATARAJAN



JUDGMENT

The learned counsel for the appellant/defendant filed a memo dated 21.01.2026 seeking permission to withdraw the second appeal as not pressed, stating that pending second appeal, a compromise has been entered into with the respondent/plaintiff.

2. The learned counsel for the appellant/defendant further submitted that pursuant to the compromise between the parties, the sale agreement was cancelled and a deed of cancellation of sale agreement was executed on 12.05.2025. As per the terms of the said cancellation, the appellant is entitled to receive back all the original documents, including the original sale deed and the other documents filed by the respondent/plaintiff before the Trial Court. The appellant may also be permitted to withdraw the amount of Rs.1,64,133/-, deposited by him before the Trial Court.

3. The original of the cancellation of sale agreement was produced before this Court and a copy of the same has also been annexed with the memo.

4. The learned counsel for the respondent submitted that he has not received any instructions from the respondent.



5. In view of the above submissions, as per the terms of the memo dated 21.01.2026, the appellant is permitted to withdraw the second appeal. The appellant is entitled to obtain all the original documents on filing of an appropriate application before the Trial Court. The Trial Court is directed to return all the documents to the appellant within two weeks from the date of filing of the said application. The appellant is also permitted to withdraw the amount deposited by him before the Trial Court.

6. Accordingly, the second appeal is disposed of with the above directions. The memo dated 21.01.2026 filed by the appellant shall form part of this judgment. No costs. Consequently, connected miscellaneous petition is closed.

06-02-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

PVS

To

1. The Additional District Judge (FTC) Arani, Thiruvannamalai
2. The Sub Judge, Cheyyar, Thiruvannamalai District.



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T.V.THAMILSELVI, J.

PVS

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