



SA(MD)No.57 of 2011

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 06.01.2026

CORAM:

THE HONOURABLE MR.JUSTICE N.SENTHILKUMAR

SA(MD)No.57 of 2011

Vellaisamy

... Appellant

versus

1.Muthulakshmi

2.State of Tamilnadu,
through the District Collector,
Sivagangai District,
Sivagangai.

3.The Tahsildar,
Karaikudi.

4.Alagappan @ Alagu

... Respondents

Second Appeal filed under Section 100 of Civil Procedure Code, against the Judgment and Decree, dated 01.12.2010 in A.S.No.44 of 2010 on the file of the Sub Court, Devakottai, reversing the Judgment and Decree dated 01.02.2010 in O.S.No.49 of 2008 on the file of the Additional District Munsif, Karaikudi.

For Appellant : Mr.VR.Shanmuganathan for
Mr.AL.Kannan

For R2 & R3 : Mr.F.Deepak
Special Government Pleader



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JUDGMENT

This Second Appeal has been filed challenging the judgment dated 01.12.2010 made in A.S.No.44 of 2010 on the file of the Sub Court, Devakottai, reversing the judgment dated 01.02.2010 made in O.S.No.49 of 2008 on the file of the Additional District Munsif Court, Karaikudi.

2.Heard the learned counsel on either side. It is informed by the learned counsel for the respondents 1 and 4 that the fourth respondent, who had sold the property in favour of the first respondent, is no more. The respondents 2 and 3 are State.

3.Today, when the matter is taken up for hearing, it is informed by both the learned counsel for the petitioner as well as learned counsel for the respondents 1 and 4 that during the pendency of this Second Appeal, a Joint Memo of Compromise, dated 25.08.2025, has been filed by the petitioner and the first respondent stating that the dispute has been amicably settled between them. In the Joint Memo of Compromise dated 25.08.2025, it had been stated as under:



5. Now the appellant and the 1st respondent had agreed for the following terms :

- The suit property is described as schedule A to this memo.
 - The Appellant is entitled to 1 acre out of 1.69 acres of the suit property on the northern side and is described as schedule B to this joint memo.
 - The 1st respondent is entitled to 69 cents out of 1.69 acres of the suit property on the southern side and is described as schedule C to this joint memo.
 - The parties agree and undertake that the schedule B belongs to Appellant and schedule C belong to 1st respondent and a decree be passed for title accordingly.
 - The appellant and the 1st respondent undertake to mutate the revenue records accordingly and get separate patta accordingly in their respective names and that the other party shall give no objection for the same.
 - The appellant and 1st respondent undertakes to execute document if any necessary to give effect to this compromise, as required by the other party as and when required.
6. The appellant and 1st respondent mutually agree and undertake that the above terms of compromise be recorded and decree be passed in the above second appeal accordingly.



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4. In view thereof, this Second Appeal stands closed, in terms of the Joint Memo of Compromise dated 25.08.2025. Joint Memo of Compromise dated 25.08.2025 shall be read as part and parcel of this Order. No costs.

06.01.2026

Index : Yes / No.
Internet: Yes / No.

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To

1. The Subordinate Judge, Devakottai.
2. The Additional District Munsif, Karaikudi.
3. The Section Officer, (2 copies)
VR Section,
Madurai Bench of Madras High Court, Madurai.



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N.SENTHILKUMAR, J.

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