



S.A.(MD)Nos.975 and 976 of 2011

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.02.2026

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THE HONOURABLE MR.JUSTICE N.SENTHILKUMAR

S.A.(MD)Nos.975 and 976 of 2011

S.A.(MD)No.975 of 2011:-

1.Muthammal (Died)
2.Kaliyammal

... Appellants

-VS.-

Abudhahir
through his Power Agent Sikkandar

...Respondent

PRAYER: Second Appeal is filed under Section 100 of CPC to set aside the decree and judgment passed in A.S.No.22 of 2010 on the file of the Subordinate Court, Sivagangai, dated 05.08.2011 reversing the decree and judgment passed in O.S.No.108 of 2005 on the file Additional District Munsif, Manamadurai, dated 27.08.2009.

For Appellants :Mr.P.Balamurugan
For Respondent :Mr.G.Gomathi Sankar



S.A.(MD)Nos.975 and 976 of 2011

S.A.(MD)No.976 of 2011:-

Kaliyammal

... Appellant

-VS.-

1.N.Krishnasamy @ Ganesan

2.E.Abudhahir

3.A.Sikkandar

...Respondents

PRAYER: Second Appeal is filed under Section 100 of CPC to set aside the decree and judgment passed in A.S.No.23 of 2010 on the file of the Subordinate Court, Sivagangai, dated 05.08.2011 reversing the decree and judgment passed in O.S.No.116 of 2005 on the file Additional District Munsif, Manamadurai, dated 27.08.2009.

For Appellant :Mr.P.Balamurugan

For Respondents :Mr.G.Gomathi Sankar

COMMON JUDGMENT

When the matter is taken up for hearing today, both the learned Counsel for the parties submitted that the parties to the Second Appeals have settled their entire issues amicably among themselves and they have also entered into a compromise. Both the appellants and the respondents are appeared before this Court and they are identified by their respective Counsels and they have



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also filed a joint compromise memo, dated 19.02.2026 duly attested by their respective Counsels. The joint compromise memo, dated 19.02.2026, is re-produced hereunder:

IN THE HIGH COURT OF JUDICATURE AT MADRAS
MADURAI BENCH

(Civil Appellate Jurisdiction)

S.A(MD)No.975 & 976 of 2011

Kaliyammal,
W/o Nagalingam,
Door No. 18, Madhavan Nagar,
Pudur, Thiruppuvanam,
Manamadurai Taluk,
Sivagangai District.

... Appellant in S.A(MD)No's.975 & 976 of 2011
-Vs-

1. Abudhahir,
S/o.L Ibrahim,
Door No.19, Madhavan Nagar,
Pudur, Thiruppuvanam,
Manamadurai Taluk, Sivagangai District.
Through his Power Agent Sikkandar,
S/o.Abdul Rowthar,
Door No.19, Madhavan Nagar,
Pudur, Thiruppuvanam,
Manamadurai Taluk,
Sivagangai District.

... Sole Respondent in S.A(MD)No.975 of 2011

2. N.Krishnasamy @ Ganesan,
S/o.Natarajan,
Door No.5/35/17, Pasumpon Thevar,
Thirumagan Nagar, Palayampatry,
Aruppukkottai Taluk,
Virudhunagar District.

N. Kalanidhi
Appellant

[Signature]
Counsel for Appellant

[Signature]
[Signature]
Respondents

[Signature]
Counsel for Respondents



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3. Abudhahir,
S/o. Ibrahim,
Door No. 16, Madhavai Nagar,
Pudur, Thiruppuvannam,
Manamadurai Taluk, Sivagangai District.

4. A. Sikkandar,
S/o. Abdul Howthar,
Door No. 19, Madhavai Nagar,
Pudur, Thiruppuvannam,
Manamadurai Taluk, Sivagangai District.

... Respondents in S.A(MD)No.976 of 2011

**JOINT COMPROMISE MEMO FILED BY THE APPELLANT
AND RESPONDENTS**

1. It is submitted that the Appellant in S.A(MD)No.975 of 2011 who is a plaintiff in O.S.No.116 of 2005 on the file of the Additional District Munsif Cum Judicial Magistrate Court, Manamadurai sought for a relief of Declaration and Recovery of Possession through her Power agent namely K.Alagu who is Son-in-law of the Plaintiff against the Respondents in S.A(MD)No.976 of 2011 and the same was decreed against which the 3rd Respondent in S.A(MD)No.976 of 2011 filed a appeal in A.S.No.33 of 2010 on the file of the Sub Court, Sivagangai and that was allowed in his favour against which the appellant preferred a Second appeal through her Power Agent K.Alagu in S.A(MD)No.976 of 2011

M. Mothimad
Appellant

Rajalaxmi
Counsel for Appellant

A. Sikkandar
Respondents

S. S. S. S.
Counsel for Respondents



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before this Hon'ble court and during pendency of the Second appeal, the Power agent was passed away and therefore the appellant namely Kalliammal filed this Joint Compromise Memo.

2. It is submitted that the 2nd Respondent in S.A(MD)No.976 of 2011 who is Plaintiff in the suit in O.S.No.108 of 2005 on the file of the Additional District Munsif Court Judicial Magistrate Court, Manamadurai for a relief of injunction against the Appellant in S.A(MD)No.975 of 2011 and the same was dismissed against which he filed appeal in A.S.No.22 of 2010 on the file of the Sub Court, Sivagangai through his Power agent namely Sikkandar and that was allowed in his favour against which the appellant preferred a Second appeal in S.A(MD)No.975 of 2011 before this Hon'ble court and the same is pending.

3. It is submitted that during pendency of the Second Appeals, the appellant and Respondents in S.A(MD)No.975 & 976 of 2011 are amicably settled and compromised between them for the following terms :-

N. Kalliammal
Appellant

P. R. S. S.
Counsel for Appellant

A. R. S. S.
Respondents

A. R. S. S.
Counsel for Respondents



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3] The subject matter of the suit properties in O.S.No.103 of 2005 and O.S.No.116 of 2005 are one and the same and it is in dilapidated condition and the appellant and respondent are consent to demolished the same and it will be measured and divided between the Appellant namely Kalamunni and the Respondent namely Abudhakir with equal share.

Therefore, it is prayed that this Hon'ble Court may be pleased to accept this Joint Compromise Memo and record the same and dispose the above said Second appeals in S.A(MD)No.975 of 2011 and S.A(MD)No.976 of 2011 in the above said terms of Compromise and thus render justice.

Dated at Madurai on this 12th day of February 2026.

N. J. Kalamunni
Appellant

[Signature]
Counsel for Appellant

[Signature]
A. G. B. E.
Respondents

[Signature]
Counsel for Respondents



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2.In view of the above, the Second Appeals are disposed of by recording the joint compromise memo. The joint compromise memo shall form part of this judgment. No costs.

19.02.2026

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

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To

- 1.The Subordinate Judge, Sivagangai.
- 2.The Additional District Munsf, Manamadurai.



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N.SENTHILKUMAR, J.

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