



S.A.(MD)No.264 of 2021

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.02.2026

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

S.A.(MD)No.264 of 2021
and
C.M.P.(MD)No.3635 of 2021

P.Ragu

... Appellant/
Respondent/
Plaintiff

Vs.

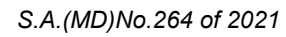
S.Ramu

... Respondent/
Appellant/
Defendant

PRAYER : Second Appeal filed under Section 100 of the Code of Civil Procedure, against the judgment and decree dated 03.08.2020 made in A.S.No.07 of 2020 on the file of Principal District Court, Ramanathapuram, reversing the judgment and decree dated 16.11.2018 made in O.S.No.20 of 2014 on the file of the Subordinate Court, Ramanathapuram.

For Appellant : Mr.V.George Raja

For Respondent : Mr.M.Sengu Vijay



The Second Appeal is directed against the judgment and decree made in A.S.No.7 of 2020 dated 03.08.2020 on the file of the Principal District Court, Ramanathapuram, reversing the judgment and decree passed in O.S.No.20 of 2014 dated 16.11.2018 on the file of the Subordinate Court, Ramanathapuram.

2. Heard the learned counsel appearing for the appellant and the learned counsel appearing for the respondent.

3. When the matter was taken up on 04.02.2026, the appellant as well as the respondent were present before this Court and filed a joint compromise memo. The learned counsel on either side submitted that the second appeal was referred to mediation and the parties have entered into an agreement at the mediation centre and on that basis, they have filed a joint compromise memo dated 12.01.2026, duly signed by the above said parties along with their respective counsel. The terms of the joint compromise were read over and explained to them and they admitted the



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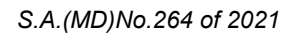
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same as true and correct and hence, the said joint compromise memo was recorded on 04.02.2026.

4. With regard to refund of Court fees, the learned counsel appearing for the appellant would rely on a decision of this Court in ***C.S.No.15 of 2020 dated 17.02.2021***, wherein, a learned Judge of this Court has held that the plaintiff was entitled to get the refund of Court fees since the matter was settled before the mediation centre and on that basis, compromise was recorded before the High Court.

5. The learned counsel appearing for the appellant would submit that since the appellant has already deposited R.2,22,500/- before the trial Court, the appellant may be permitted to get back the said amount.

6. In view of the recording of the joint compromise memo entered into between the parties, this Second Appeal is disposed of in terms of the joint compromise as effected under the mediation process. The joint compromise memo shall form part and parcel of the decree. The Registry is directed to refund the Court fees to the appellant in proper



Consequently, connected Miscellaneous Petition is closed. No costs.

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

1. The Principal District Judge, Ramanathapuram.
2. The Subordinate Judge, Ramanathapuram.
3. The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court, Madurai.

1.The Registrar (Judicial),
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR, J

csm

Judgment made in
S.A.(MD)No.264 of 2021
and
C.M.P.(MD)No.3635 of 2021

Dated : 10.02.2026