



C.R.P. (MD) No. 785 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.01.2026

CORAM

THE HON'BLE MR. JUSTICE N.SENTHILKUMAR

C.R.P. (MD) No.785 of 2024

Samuel

... Petitioner

-VS-

1.Lakshmi

2.Nagammal

3.Vasantha

4.The Executive Officer,
Suchindrum Town Panchayat Office,
Suchindrum – 629 704,
Kanyakumari District.

5.The District Collector,
District Collector's Office,
Nagercoil,
Kanyakumari District.

... Respondents

PRAYER: Civil Revision Petition filed under Section 115 of C.P.C., to set aside the fair and decreetal order dated 10.01.2023 made in I.A. No.1 of 2019 in A.S.S.R. No. 4783 of 2019 on the file of the principal Subordinate Judge, Nagercoil and allow this Civil Revision Petition.



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For Petitioner : Mr. T.Selvakumaran
For R-1 & R-3 : Mr. Shankar Prakash
For R-2 : Died
For R-4 & R-5 : Mr.PThambidurai,
Government Advocate

ORDER

This Civil Revision Petition under Article 227 of the Constitution of India has been filed seeking to set aside the fair and decreetal order dated 10.01.2023 made in I.A. No.1 of 2019 in A.S.S.R. No. 4783 of 2019 on the file of the principal Subordinate Judge, Nagercoil (hereinafter referred to as the 'Trial Court' for short).

2. The parties are hereinafter referred to as by the description in the suit in O.S. No. 600 of 2010 before the Trial Court for the sake of clarity and convenience.

3. Heard Mr. T.Selvakumaran, Learned Counsel for the First Defendant, Mr. Shankar Prakash, Learned Counsel for the Plaintiff Nos. 1 and 3, Mr.P.Thambidurai, Learned Government Advocate appearing for the Third Defendant and perused the materials placed on record, apart from the pleadings of the parties.



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4. Learned Counsel for the First Defendant submitted that the parties have entered into compromise and on that basis, they have requested the Court to direct the appellate Court to take the appeal on file and he has also filed the copy of the joint compromise memo.

5. It is brought to the notice of this Court that after filing of the Civil Revision Petition, the parties have entered into compromise and the same should be recorded as a part of the decree in the appeal suit proceedings.

6. In view of the same, it is expected by the learned counsel for the First Defendant that the delay in filing the Appeal suit which was dismissed by the Trial Court may be condoned.

7. Learned Counsel appearing for Plaintiff Nos. 1 and 3 made an endorsement that they have no objection for condoning the delay.

8. In such circumstances, the order passed in I.A. No.1 of 2019 in A.S.S.R. No. 4783 of 2019 dated 10.01.2023 on the file of the principal Subordinate Judge, Nagercoil is set aside and the First Appellate Court shall take the



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appeal on file and both the parties shall appear before the First Appellate Court
on 05.07.2024.

In the result, the Civil Revision Petition is disposed on the aforesaid
terms. No costs.

21.01.2026

Index : Yes/No
Internet : Yes/No
Ncc : Yes/No

Indu

To

1. The Principal Subordinate Judge, Nagercoil.
2. The Executive Officer,
Suchindrum Town Panchayat Office,
Suchindrum – 629 704,
Kanyakumari District.
3. The District Collector,
District Collector's Office,
Nagercoil,
Kanyakumari District.
4. The Section Officer, VR Section,
Madurai Bench of Madras High Court,
Madurai.



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N.SENTHILKUMAR, J.

Indu

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