



**A.S.(MD)No.119 of 2023**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

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Date : 25.02.2026

**CORAM**

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN  
AND  
THE HONOURABLE MRS.JUSTICE R.KALAIMATHI**

**A.S.(MD)No.119 of 2023  
in  
C.M.P.(MD)No.7369 of 2023**

M.Natesan

... Appellant / Plaintiff

**Vs.**

Neelavathi

... Respondent / Defendant

**PRAYER:** Appeal Suit filed under 96 r/w O-41 R-1 of Civil Procedure Code to set aside the Judgment and decree passed in O.S.No.27 of 2019, dated 04.01.2023 on the file of the Principal District Court, Karur by allowing this appeal.

For Appellant : Mr.N.Kamesh

For Respondent : Mr.P.Murugesan



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## **JUDGMENT**

(Judgment of the Court was made by **G.R.SWAMINATHAN, J.**)

This appeal arises out of a suit for recovery of money. O.S.No.27 of 2019 filed by the appellant was dismissed by the Principal District Judge, Karur vide Judgment and decree dated 04.01.2023. Aggrieved by the same, this first appeal came to be filed.

2. During the pendency of the appeal, the parties entered into an amicable settlement and the matter has been settled out of the Court. The joint memo of compromise signed by both the parties as well as the respective counsel has been filed before us. The Judgment and decree of the Court below is set aside. This appeal suit is disposed of in terms of the compromise memo dated 29.01.2026. The compromise memo shall form part and parcel of the Judgment. The appellant / plaintiff is present and he states that he has received the entire money due from the defendant / respondent. Since the matter is settled out of the Court, the appellant is entitled to refund of the entire Court fee paid by him before this Court.



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3. The Appeal Suit is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

**(G.R.S., J.) (R.K.M., J.)**  
**25.02.2026**

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

The Principal District Court, Karur.



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**G.R.SWAMINATHAN, J.**  
**AND**  
**R.KALAIMATHI, J.**

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