



A.S.(MD)No.46 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 10.06.2026

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MS.JUSTICE R.POORNIMA**

A.S.(MD)No.46 of 2017

Velammal

... Appellant / Plaintiff

Vs.

1.N.S.Murugan

2.S.Nallaperumal

3.S.Arumugam (died)

... Respondents / Defendants

PRAYER: Appeal Suit filed under Section 96 of the Civil Procedure Code praying this Court, to set aside the Judgment and decree passed in O.S.No.34 of 2012 on the file of the 3rd Additional District Judge, Tirunelveli, dated 05.10.2016 and allow this appeal and decree the suit as prayed for.

For Appellant : Mr.S.Packiya Muthu



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For Respondents : Mr.M.Karthikeya Venkatachalapathy
for R1

: Mr.S.Nallaperumal
for R2

JUDGMENT

(By G.R.SWAMINATHAN, J.)

This appeal arises out of a suit for partition. Velammal filed O.S.No.34 of 2012 on the file of the III Additional District Judge, Tirunelveli seeking partition and separate possession of 1/4th share in the suit schedule properties. The Court below dismissed the suit vide Judgment and decree dated 05.10.2016. Aggrieved by the same, this appeal has been filed.

2. When the matter was taken up for hearing, we suggested to the parties that the matter could be amicably resolved. Pursuant to our suggestion, the parties as well as the counsel sat together and successfully resolved the issue. The joint compromise memo dated 14.03.2026 has been filed. It has been signed by both the counsel as well as by the parties. Vellammal / plaintiff / appellant is present in person. N.S.Murugan and S.Nallaperumal are also present in person.

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3. The impugned Judgment and decree stands set aside. This

Appeal Suit is disposed of in terms of the aforesaid compromise memo.

It shall form part of the decree. No costs.

(G.R.S., J.) (R.P., J.)
10.06.2026

Index : Yes / No

Internet : Yes / No

NCC : Yes / No

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To

The 3rd Additional District Judge, Tirunelveli.



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