

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.07.2012

CORAM

THE HON'BLE MR.JUSTICE V.PERIYA KARUPPIAH

S.A.No.499 of 2003

And

C.M.P.No.1080 of 2010

1.A.M.Venkattasami (Died) ...1st Appellant/2nd Defendant
2.Ramachandran ...2nd Appellant

(2nd appellant brought on record as LR
of the deceased sole appellant
vide order of Court dated 26.07.2010
made in C.M.P.No.1864 of 2009)

vs.

1.Muniraj ...1st respondent/Plaintiff
2.Venkatamma
3.Venkatalakshumamma
4.Susila
5.Krishnappa
6.Srinivasalu
7.Ramesh
8.Subramani ... Respondents 2 to 8/
Defendants 3 to 9

Appeal filed under Section 100 of Civil Procedure Code against the Judgment and Decree of the Learned Subordinate Judge, Hosur dated 09.12.2002 made in A.S.No.6 of 2000 reversing that of the Learned District Munsif, Denkanikottai dated 30.11.1999 made in O.S.No.13 of 1993.

For appellant : Mr.Sanjai Babu

For respondents : Mr.V.Nicholas for R1
R2 to R8 - given up

JUDGMENT

The Second Appeal has been filed against the Judgment and Decree passed by the Learned Subordinate Judge, Hosur dated 09.12.2002 made in A.S.No.6 of 2000 in reversing the judgment of

decree passed by the Learned District Munsif, Denkanikottai dated 30.11.1999 made in O.S.No.13 of 1993.

2.Mr.Sanjai Babu, learned counsel appears for the appellant and Mr.V.Nicholas, learned counsel appears for the first respondent. A memorandum, giving up the claim against the respondents 2 to 8 is filed and recorded.

3.A joint memorandum of compromise has also been filed by the second appellant and the first respondent. The second appellant and the first respondent were present in Court and admitted the terms of the joint memorandum of compromise. Hence, the joint memorandum of compromise filed by them is ordered to be recorded.

4.In view of the recording of the joint compromise entered inbetween the second appellant and the first respondent, the appeal is allowed to that extent and the first Appellate Court judgment and decree is modified to the effect that a decree is passed in terms of compromise. The joint memorandum of compromise shall form part of the decree. No orders as to costs.

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Sd/-
Asst. Registrar(CS-III)

//True Copy//

Sub Asst. Registrar

To

1.The Subordinate Judge, Hosur.

2.The District Munsif, Denkanikottai.

+ 2 ccs to Mr. V. Nicholas, Advocate SR No.45629

VD(CO)

SR/4.10.2012.

WEB COPY

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