

Ambika Vs. D.irusamma

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Court : Chennai

Decided On : Mar-15-2013

Judge : G.Rajasuria

Appellant : Ambika

Respondent : D.irusamma

Judgement :

IN THE HIGH COURT OF JUDICATURE OF MADRAS DATED:

15. 03.2013 CORAM: THE HONOURABLE MR. JUSTICE G.RAJASURIA
S.A.No.979 of 2004 and C.M.P.No.7278 o

1. Ambika 2. S.Paramasivam 3. S.Yuvaraj 4. S.Jeevarathinam 5. S.Buvaneswari
6. S.Marivel 7. S.Devi ... Appellants vs. D.Irusamma (died on 10.5.99 rep.by
following as legal heirs in the suit and appeal suit) 1. T.Murugammal 2.
D.Kumaravel 3. B.Saravanan 4. D.Ekambaram ... Respondents This second
appeal is filed against the judgment and decree dated 17.02.2002 passed by the
learned VII Additional Judge, City Civil Court, Chennai in A.S.No.28 of 2000 in
confirming the judgment and decree dated 20.09.1999 passed by the learned I
Assistant Judge, City Civil Court, Chennai in O.S.No.1202 of 1996. For Appellants
: Mr.B.Ramakrishnan For Respondents : Mr.P.Jayaprakasam JUDGMENT At the
hearing, all the appellants and the respondents are present along with their
respective advocates and they in unison stated that they voluntarily entered into
the compromise as per the memo of compromise filed in this court along with the

sketch, once and for all. Accordingly, they prayed for passing a final decree. They are conversant with the contents of the memo of compromise, on my questioning them.

2. S.Paramasivam- the second appellant would state that his actual name is Parameswaran but in the suit proceedings, his name has been described as Paramasivam. Hence, necessary corrections also have to be effected in the final decree.

3. Accordingly, I directed the Registry to record the statements of the second appellant-S.Paramasivam (Parameswaran) and R3-Kumaravel on the respondents' side and the Assistant Registrar (AS) recorded the statements of the second appellant-S.Paramasivam (Parameswaran) and R3-Kumaravel and marked the Memo of Compromise as Ex. P1. After that both the parties once again appeared before this Court along with their respective counsel and they prayed that a final decree may be passed incorporating the said Memo of Compromise.

4. Perused the Memo of compromise. I am having no reason not to record the same. I am of the considered opinion that the compromise arrived at between the parties is genuine and the same is accepted. The memo of compromise, Ex.P1 shall form part and parcel of the final decree. Accordingly, the final decree shall follow as per rules.

5. This second appeal is disposed of on the above terms. No costs. Consequently, the connected miscellaneous petition is closed. 15.03.2013 vj2 To 1. The VII Additional Judge, City Civil Court, Chennai 2. The I Assistant Judge, City Civil Court, Chennai G.RAJASURIA,J., vj2 S.A.No.979 o

15. 03.2013

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