



HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

Lok Adalat-I organised by the High Court Legal Services Committee
Thursday, the 02nd day of July, 2015

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LOK ADALAT AWARD

(Chapter VI and u/s 21 of Legal Services Authorities Act, 1987)
Presided over by

The Hon'ble Mr.JUSTICE P. THANGAVEL (Retd.)
and

Members

Mr.E. Krishnan
Mrs.V.J.Latha

S.A.No.43 of 2014

(This Second Appeal is filed against the Judgment and Decree dated 19.07.2013 in A.S.No.10 of 2011 on the file of the learned District and Sessions Judge, Thiruvarur confirming the judgment and decree dated 19.02.2008 in O.S.No.6 of 2005 on the file of the learned Subordinate Judge, Thiruvarur)

1.R.Kaliammal
2.S.Anjammal
3.Muthulakshmi

.. Appellants

Vs.

1.Manohar
Rajamani(died)
2.Sekar @ Sakthimaindan
3.Kumar @ Sivakumar

.. Respondents

This case came up for settlement before the Lok Adalat. Mrs.T.Aananthi, learned counsel for the appellants and Mr.A.Muthukumar, learned counsel for the first respondent, respondents 2 and 3 appearing in person are present.

TERMS OF SETTLEMENT

The appeal in S.A.No.43 of 2014 pending on the file of High Court, Madras preferred against the Judgment and decree passed by the learned District Judge, Thiruvarur in A.S.No.10 of 2011, confirming the judgment and decree passed by the learned Subordinate Judge, Thiruvarur in O.S.No.6 of 2005 has been referred to Lok Adalat for conciliation today.

2. The first respondent herein, who is the plaintiff before the Trial Court filed a suit for specific performance with regard to the suit property against the defendants 1 to 6. Since the first defendant died during the pendency of the suit leaving the



defendants 2 to 6 as her heirs, the suit was pursued against the defendants 2 to 6 by the plaintiff. Defendants 2 to 4 are the appellants herein and respondents 2 and 3, who are appearing in person are defendants 5 and 6 before the Trial Court.

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3. After great deliberation and discussion, both the parties have comprised the dispute between them with regard to suit property as follows:

a) Admittedly, a sum of Rs.1,00,000/- was deposited by the first respondent herein, who is the plaintiff before the Trial Court, pursuant to the decree passed by the said Trial Court. Both parties have agreed that the plaintiff can withdraw the above said sum of Rs.1,00,000/- along with accrued interest thereon from the competent court immediately.

b) The defendants 2 to 6, who are appellants and respondents 2 and 3 herein shall pay a sum of Rs.3,00,000/- to the first respondent herein (plaintiff) within two months from this date.

c) On payment of the above said sum of Rs.3,00,000/- by the defendants 2 to 6/appellants and respondents 2 and 3 to the plaintiff/first respondent herein, the plaintiff/first respondent shall hand over the original documents, namely, patta pertaining to the suit property to the defendants 5 and 6 / respondents 2 and 3 herein. The appellants herein have no objection for handing over such documents by the plaintiff/first respondent to the defendants 5 and 6/respondents 2 and 3 herein.

d) There shall be a charge over the suit property till payment of the sum of Rs.3,00,000/- by defendants 2 to 6/appellants and respondents 2 and 3 to the plaintiff/first respondent herein.

e) After payment of the sum of Rs.3,00,000/- as mentioned above, the defendants 2 to 6, who are appellants and respondents 2 and 3 herein shall become absolute owners of the suit property and the charge created as mentioned above till payment of Rs.3,00,000/- shall cease to operate. It is made clear that the appellants and respondents 2 and 3 are already in possession of suit property. The appellants and respondents agreed to bear their own costs. Award is passed accordingly. Consequently, connected miscellaneous petition is closed.

LTI/-
R.Kaliammal

LTI/-
S.Anjammal



LTI/-
Muthulakshmi

Sd/-
Manohar

Sd/-
Sekar @ Sakthimaingan

Sd/-
Kumar @ Sivakumar

Sd/-
...Counsel for appellants

...Counsel for respondent-1

Parties-in-person

The full Court fee paid shall be refunded to the appellant in the manner provided under Section 69-A of the Tamil Nadu Court-Fees and Suits Valuation Act, 1955 and the Court Fees Act, 1870 as provided for under sub Sec.1 of Section 21 r/w 25 of LSA Act 1987 as amended in 1994.

Sd/-
Judge
Member

Sd/-
Member

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

To:The parties/Advocate concerned

Copy to:

- 1.The District and Sessions Judge, Thiruvarur.
2. The Subordinate Judge, Thiruvarur.
- 3.The Secretary, High Court Legal Services Committee, Chennai.
- 4.The Section Officer, V.R.Section, High Court, Madras.
- 5.The Section Officer, Lok Adalat Section, High Court, Madras, +2 copies.

+1 cc to M/s.T.Aananthi, Advocate, sr.32902.
gv

S.A.No.43 of 2014

svi(co)
kra(10/08)