

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

Lok Adalat-I organised by the High Court Legal Services Committee
Friday, the 27th day of March 2015

LOK ADALAT AWARD

(Chapter VI and u/s 21 of Legal Services Authorities Act, 1987)
Presided over by
Hon'ble Mr.JUSTICE MALAISUBRAMANIAN(Retd)
and

Members

Mr.Justin George
Mrs.Daniel Mary

CRP.No.434 to 436 of 2015 and
M.P.No.1 of 2015 in CRP.No.434 of 2015

CRP.No.434 of 2015 : - Civil Revision Petition filed against the order and decreetal order dated 12.12.2014 made in I.A.No.19210 of 2014 in O.S.No.956 of 2013 on the file of the XV Assistant Judge, City Civil Court, Chennai.

CRP.No.435 of 2015 : - Civil Revision Petition filed against the order and decreetal order dated 12.12.2014 made in I.A.No.19337 of 2014 in O.S.No.956 of 2013 on the file of the XV Assistant Judge, City Civil Court, Chennai.

CRP.No.436 of 2015 : - Civil Revision Petition filed against the order and decreetal order dated 12.12.2014 made in I.A.No.19338 of 2014 in O.S.No.956 of 2013 on the file of the XV Assistant Judge, City Civil Court, Chennai.

S.Bagyalakshmi .. Petitioner in all CRPs.

Vs.

1.S.Arunmozhi

2.G.M.R.Srinivas (Missing) .. Respondents in all CRPs.

These cases came up for settlement before the Lok Adalat. The learned counsel for the Petitioner in all CRPs. Mr.V.Manisekaran and the learned counsel for the first respondent / plaintiff Mr.V.Chanakya are present.

TERMS OF SETTLEMENT

The revision petitioner in all the three revision petitions is the wife of the defendant in O.S.No.956 of 2013 on the file of the XV Assistant City Civil Court, Chennai. The suit was decreed ex-parte. The petitioner who is the wife of the defendant filed a petition before the Trial Court to implead herself as a defendant stating that her husband was missing. She also filed a petition to set aside the

ex-parte decree along with an application to condone the delay in filing the said petition. The Trial Court rejected all the petitions. Therefore, the petitioner has filed these revisions.

2. All the three revision petitions were sent to this Forum for effecting compromise between the parties. The petitioner and the respondent are present along with their respective counsel and they have filed a Joint Memo of Compromise. The Counsel for Respondent / plaintiff has made an endorsement on the Civil Revision Petitions that they may be allowed. The petitioner also filed an affidavit stating that her husband, who is the defendant in the suit was missing from 30.01.2013 and his whereabouts are not known. She also submitted that the amount due to the plaintiff has already been settled. Under such circumstances, she prays for restoration of the suit and disposal of the same as settled.

3. In view of the compromise between the parties, all the three Civil Revision Petitions are allowed and the Civil Suit is restored to the file of the XV Assistant City Civil Court, Chennai.

4. It seems, the Trial Court has also passed an order of attachment in I.A.No.2562 of 2013 in the said suit attaching the schedule mentioned property. The respondent / plaintiff has no objection to raise the attachment.

5. Since the matter is settled between the parties, the order of attachment made by the Trial Court stands vacated and the Original Suit is restored and stands disposed off as settled.

6. In view of the aforesaid Joint of Memo of Compromise, the Civil Revision Petitions shall also stand disposed of as settled. Consequently connected Miscellaneous Petition is closed. The aforesaid Joint of Memo of Compromise shall form part of the decree.

7. The Court fee paid by the first respondent/plaintiff shall be refunded 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.

(memo of compromise xerox copy enclosed)

Sd/-
S.Bagyalakshmi

Sd/-
Counsel for the Petitioner
in all three CRPs.

Sd/-
S.Arunmozhi

Sd/-
Counsel for the first respondent /plaintiff
in all three CRPs.

This Lok Adalat award is passed in terms of the above settlement.

Sd/-
Judge

Sd/-
Member

Sd/-
Member

Sd/-
Assistant Registrar (CS-IV)
dt. 28.4.2015

//True Copy//

Sub Assistant Registrar

adl

To

The parties/Advocate concerned

Copy to:

1. The XV Assistant Judge, City Civil Court, Chennai.
 2. The Secretary, High Court Legal Services Committee, Chennai.
 3. The Section Officer, V.R. Section, High Court, Madras.
 4. The Section Officer, Lok Adalat Section, High Court, Madras.
- +2 copies

RSK(CO)
Eu 29.04.15

CRP.NO.434 to 436 of 2015 and
M.P.No.1 of 2015



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