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HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
Lok Adalat-II organised by the High Court Legal
Services Committee

Monday, the 27th day of November, 2017

LOK ADALAT AWARD

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

Presided over by

Hon'ble Mr.JUSTICE **T.N.VALLINAYAGAM, (Retd.)**
and

Members

Mrs.Kanmani Selvam
Mrs.A.G.Ester Dorothy

C.S.No.956 of 2015

(This Civil Suit is filed for a judgment and decree
against the defendant

a) to declare that the plaintiffs 1 and 2 are the
absolute owner of the schedule "A" mentioned properties and
Plaintiffs 3 and 4 are the absolute owners of the Schedule "B"
mentioned property which stands in the name of the First
Defendant and consequential permanent injunction restraining
the first defendant and her agents/representatives or anybody
claiming through her from in any manner alienating
encumbering, mortgaging or altering the schedule mentioned
properties in any manner whatsoever; b) cost of the suit.)

1.Mrs.Halima bee

W/o Jaffer and D/o Mohammed Ismail,
No.302, Sidco Nagar,
TNHB, 48th Street,
Villivakkam,
Chennai 600 049.



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2.Mrs.Sharifa,
W/o Rafique and D/o Mohammed Ismail,
No.301, Sidco Nagar,
TNHB, 48th Street,
Villivakkam, Chennai 600 049.

3.Mr. Mohammed Muneer
S/o Mohammed Ismail,
No.9/241, Sidco Nagar,
(Ground Floor), TNHB,
48th Street,
Villivakkam, Chennai 600 049.

4.Mr.Mohammed Nabil
S/o. Mohammed Ismail,
No.9/241, Sidco Nagar,
TNHB, 48th Street,
Villivakkam, Chennai 600 049

...Plaintiffs

Vs

1.Smt.Fouzia Begum
W/o Mohammed Nazeer,
No.35/5, Ramsamy street,
Pulianthope, Chennai 600 012.

2.Mr.Mohammed Nazeer
S/o Mohammed Ismail,
No.9/348, Sidco Nagar,
TNHB, 49th Street,
Villivakkam, Chennai 600 049

... Defendants



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On representation of the Advocate for the Plaintiffs this case is taken up for settlement before the Lok Adalat. All the parties are present. The learned counsel appearing for the plaintiff Mr.A.Swaminathan is present and the The learned counsel appearing for the Defendants Mr.V.Murali is present. After mutual discussion, negotiation, mediation and conciliation between the parties, they arrived at a compromise to settle the matter as follows:

AWARD

This Civil Suit is filed one seeking declaration that the plaintiffs are entitled to own the schedule "A" and "B" properties which stands in the name of the first defendant.

2.It is a family dispute, and the allegation is that the father in law purchased the property in the name of his daughter in law and the suit is for declaration ignoring the sale.

3.It is seen that Mohammed Ismail/Father in law has executed a Will on 07.10.2006, bequeathing the properties to the beneficiaries under the Will.

4.Now, after negotiations all the parties in the suit namely the above said all six parties i.e., Plaintiffs 1 to 4 and defendants 1 and 2, agreed to succeed to the properties as per the terms of the Will. Accordingly, award is passed allowing the properties to the respective parties as per the Will.



5. As per the Will dated 07.10.2006 and agreed by all the parties that, Schedule "A" property is allotted in favour of the plaintiffs 1 and 2. Schedule "B" property is allotted in favour of the plaintiffs 3 and 4. Schedule "C" property is allotted in favour of the 2nd defendant.

6. A copy of the Will is attached to this award and all the parties are entitled to continue the possession of the properties in their respective entities and enjoy the properties as per the terms of the Will. Award is passed accordingly.

1.Halima bee

2.Sharifa

3.Mohammed Muneer

4.Mohammed Nabil

Counsel for the Plaintiffs

1.Fouzia Begum

2.Mohammed Nazeer

Counsel for the Defendants

Sd-
Judge

Sd/-
Member

Sd/-
Member

Sd/-
Assistant Registrar (LA)

// The Certified to be true copy//

Sub Assistant Registrar (OS)



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

The Court fee paid shall be refunded to the Plaintiffs on the Court fee paid in the Plaint 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.

There is Four plaintiffs, the refund order may be issued in the name of third plaintiff/Mohammed Muneer by the office.

To

The parties/Advocate concerned

Copy to:

- 1.The Secretary, High Court Legal Services Committee, Chennai.
 - 2.The Record Keeper, Original Side, High Court, Madras.
 - 3.The Section Officer, Lok Adalat Section, High Court, Madras.
- +2 copies



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T.N.VALLINAYAGAM, (Retd.)

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C.S.No.956 of 2015

27.11.2017