

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

Wednesday, the 29th day of November, 2017

LOK ADALAT ORDER

(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.S.Gunaseelan
Mrs.S.Jayakumari

C.S.No.288 of 2017

(This Civil Suit is filed praying for a decree and
judgment against the defendants)

a) directing the defendants to pay a sum of
Rs.79,80,000/- with interest on Rs.60,00,000/- at 18%p.a
from the date of plaint till the date of realization with
cost;

b) For a charge decree for the said decree amount
against the suit property viz. Land admeasuring 2961sq.ft.,
together with a super structure thereon bearing Door No.11,
New No.48, Rajeswari Street, Kamaraj Nagar, Choolaimedu,
Chennai - 600 094, comprised in T.S.No.61, Sub-Division 27,
(61/27)Block No.14, Old Survey No.20, Block No.6 situated
in 109 Puliyur Village, Egmore, Nungambakkam Taluk,
Chennai, which is more fully described in the schedule
hereunder and to be sold.

1.Edwin Samuel James,
S/o.S.James Malaiappan
2/180b, Vinobaji street,
Gill nagar, Choolaimedu
Chennai 600 094.

.. Plaintiff

Vs

1.D.Mohammed Farooq,
S/o.Mr.D.Mohammed Basheer,
Old No.4, New No.7,
Vijalakshmi Street,
Mahalingapuram,
Nungambakkam,
Chennai 600 034.

2.Mrs.R.Shamimma,
W/o.D.Mohammed Farooq,
Old No.4, New No.7,
Vijalakshmi Street,
Mahalingapuram,
Nungambakkam,
Chennai 600 034.

... Defendants

This case came up for settlement before the Lok Adalat. Mr.K.V.Ananthakrushnan, learned counsel appearing for the plaintiff and Mr.A.J.Jawad, learned counsel appearing for the defendants are present.

TERMS OF SETTLEMENT

The Suit in CS.288/2017 pending on the file of High Court Madras has been referred to Lok Adalat for conciliation today.

2.The plaintiff assisted by counsel and the defendants 1 & 2 assisted by counsel are present before Lok Adalat today.

3.The Suit has been filed by the plaintiff against the defendants to pay a sum of Rs.79,80,000/- with interest on Rs.60,00,000/- at 18%p.a from the date of plaint till the date of realisation with cost and charge decree over the

Suit property with regard to the Suit claim. After great deliberations and discussions, parties have compromised the disputed claim at Rs.65,50,000/- towards full quit of claim made in the plaint by way of payment by the defendants to the plaintiff.

4.They have further agreed that neither party will have any claim further over the other parties in connection with the Suit claim in this suit. In short the plaintiff will have no claim against the defendants and the defendants are not liable to pay any further sum to the plaintiff in connection with the claim referred to in the plaint.

5.Admittedly the said sum of Rs.65,50,000/- have been paid by the defendants 1 & 2 to the plaintiff by means of pay order & dated 27.11.2017 & 28.11.2017.

6.The memo of compromise has been filed by the both parties before the Lok Adalat today, containing the terms of compromise arrived at between both parties. The terms of compromise have been read over and explained to the parties and they accept the same as correct. The particulars of the pay orders are specifically mentioned in the memo of compromise. The memo of compromise is recorded by Lok Adalat to day.

7.Inview of the compromise arrived at between the both parties, the Lok Adalat hereby declare and decree that the award is passed in this Suit in terms of compromise filed

before the Lok Adalat today and the same will form part of the decree. It is needless to point out that nothing survives in this suits hereafter between the both parties and the Suit is closed. No order as to cost. Award is passed accordingly.

Court fees paid on the plaint ordered to be refunded in full to the party concerned. No order as to cost. Award is passed accordingly.

1.Edwin Samuel James,
S/o.S.James Malaiappan ...Counsel for the Plaintiff

1.D.Mohammed Farooq,
S/o.Mr.D.Mohammed Basheer.

2.Mrs.R.Shamimma,
W/o.D.Mohammed Farooq. ...Counsel for the Defendants

P. THANGAVEL, J. (Retd.)

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Sd/-
Member

Sd/-
Member

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Sd/-
Assistant Registrar (LA)

// The Certified to be true copy//

Sub Assistant Registrar(OS)

The full Court fee paid by the first plaintiff shall be refunded to the plaintiff 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.

To

The parties/Advocate concerned

Copy to:

- 1.The Secretary, High Court Legal Services Committee, Chennai.
- 2.The Sub Assistant Registrar, Original Side, High Court, Madras.
- 3.The Section Officer, Lok Adalat Section, High Court, Madras.

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C.S.No.288 of 2017

29.11.2017

सत्यमेव जयते

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