

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

Lok Adalat-I organised by the High Court Legal Services Committee
Tuesday, the 27th day of February 2018

LOK ADALAT AWARD

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

The Hon'ble Mr.JUSTICE N.V.BALASUBRAMANIAN (Retd.)

and
Members
Mr. M.Abdul Malik
Mrs.Saseedhevi

A.S.No.3of 2015

Appeal Suit has been filed to set aside the judgement and decree passed in O.S.No.9093 of 2010 dated 20.03.2014 on the file of the learned VII Additional City Civil Judge, Chennai and allow this appeal with costs.

1. Mrs.S.Krishnaveni
2. Mrs.Geetha Mohanraj
3. Mr.S.Prakash ... Appellants/Defendants 2,3 & 5
4.

Vs.

1. S.Krishnaraj R1/Plaintiff
2.M.S.Sethuraman (Deceased)
3.Sandhya Vasudevan ..R2 & R3/D1 & 4

This case came up for settlement before the Lok Adalat. The appellants and their counsel Mr.B.Senthil Kumar, learned counsel for the appellants and the first respondent and his counsel M/s.S.Thankasivan and Mr.R.Sundara Kamesh Marthandan are present.

TERMS OF SETTLEMENT

This appeal is preferred against the judgment and decree passed in O.S.No.9093 of 2010 on the file of VII Additional City Civil Judge, Chennai, wherein the learned judge has decreed the suit declaring the revocation deed dated 02.06.2008 and the subsequent settlement deed dated 09.06.2008 executed by the first defendant are illegal, void and unenforceable and made consequential direction on the basis of declaration declaring the revocation and subsequent settlement deeds are

illegal void and enforceable.

The appeal has been preferred by the legal heirs of M.S.Sethuraman who are his wife, one daughter and another son. The 4th defendant, who suffered a decree of the Trial Court, has not entered appearance in the appeal.

During the pendency of the appeal, the contesting defendants 2, 3 & 5 and the plaintiff, who is one of the sons of M.S.Sethuraman, have entered into Joint Compromise Memo and the same is signed by the appellants, the learned counsel for the appellants and also by the first respondent and his counsel. The first respondent who has already filed vakalat has filed another vakalat filed today for record purpose.

In terms of the Joint Memo Compromise dated 27.02.2018 an award is passed. The Joint Memo of Compromise dated 27.02.2018 shall form part of the award. As per terms of the compromise the first respondent

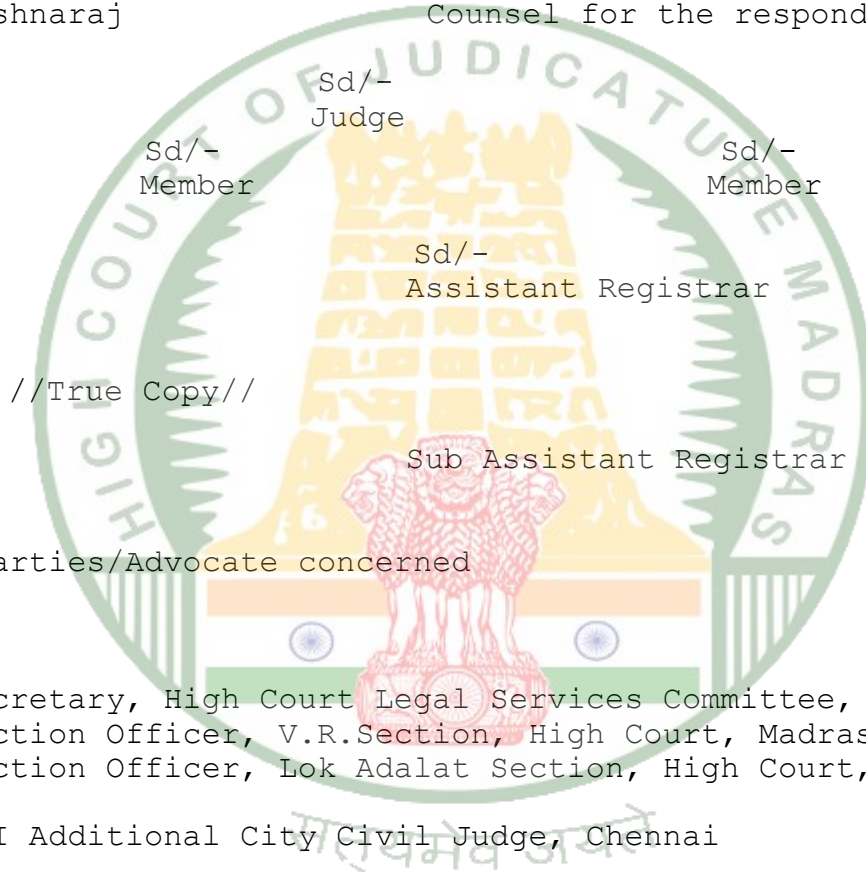
S.Krishnaraj has to pay a sum of Rs.21 lakhs to the second appellant Mrs.Geetha Mohanraj, one of the daughters of the deceased M.S.Sethuraman and Mr.Prakash, one of the sons of the deceased M.S.Sethuraman.

The first respondent has paid a sum of Rs.21 lakhs by way of three demand drafts all dated 26.02.2018 drawn on Bank of India, Puraisaivakkam Branch, No.007267, No.007266 & No.007265 for Rs.5,00,000/- Rs.8, 00,000/- Rs.8, 00,000/- respectively in the joint names of the second and third appellants Mr.Geetha Mohanraj and Mr.S.Prakash and they acknowledge receipt of the same. Both agree that the said sum of Rs.21 lakhs shall be shared in the manner desired by them. As far as first appellant Mrs.Krishnaveni is concerned, the first respondent Mr.S.Krishnaraj who has become the owner of the property, has undertaken to take care of Mrs.Krishnaveni. The first appellant shall continue to live under the care of the first respondent Mr.S.Krishnaraj and she will not claim right over any portion of the suit property. Since third respondent Mrs.Santhya Vasudevan, one of the daughters of M.S.Sethuraman, has not preferred appeal, she has accepted trial court's decree. The 4th defendant / third respondent is not in possession of any portion of the suit property. The appeal is accordingly, disposed of in terms of the Joint Memo of Compromise. After receipt of the above said Demand Drafts, the appellants 2nd and 3rd handed over the keys pertaining to their respective portions to the first respondent.

The appellants shall be entitled to refund of court fee.

- Sd/-
1. Mrs.Krishnaveni
Sd/-
2. Mrs.Geetha Mohanraj
Sd/-
3. Mr.S.Prakash
- Sd/-
Counsel for the appellant

- Sd/-
1. S.Krishnaraj
- Sd/-
Counsel for the respondent



RV(CO)
sm:28.3.2018

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