

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

Monday, the 23rd day of April, 2018

LOK ADALAT AWARD

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

Presided by

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

Members

Mr.P.Ramalingam, District Judge (Retired)
Mr. M.Suresh Kumar

C.S.No.628 of 2009

Civil Suit filed for judgement and decree against to
(a) pass a preliminary decree that the plaintiff is
entitled for partition and separate possession of her
1/7th share in the schedule A, B and C properties and the
earning out of the business M/s.Tanjore Art Gallery run
by late Ramachandra Raju;

(b) pass an order of permanent injunction
restraining the 1st defendant from selling, charging or
otherwise disposing of the family properties morefully
described in the schedule A,B and C (and from carrying on
or intermeddling with the business in the name and style
of M/s.Tanjore Art Gallery run by late Ramachandra Raju
from 24.10.1998, or selling, charging or otherwise
disposing of the assets thereof);

(c) pass an order declaring that the partition deed
dated 31.03.1999 Doc.No.337/1999 on the file of the
District Registrar, Chennai - Central, as null and void;

(d) direct the 1st defendant to file the family
settlements in his possession before this Hon'ble Court
and set aside the same as null and void;

(e) pass an order that an account may be taken of
what the joint properties of Estate mentioned in the
schedule A and B as on date of death of Ramachandra Raju,
on 24.10.1998, barring the Item Nos. and 2 schedules A;

(f) appoint a receiver and manager of the business

in the name and style of M/s. Tanjore Art Gallery run by late Ramachandra Raju and an account may be taken of the profits of the said business;

(g) appoint a commissioner to divide the Schedule A,B and C properties by metes and bounds and the earning out of the business in the name and style of M/s. Tanjore Art Gallery into 7 shares as per preliminary decree and allot 1/7th share to the plaintiff by passing a final decree according to order 20 Rule 18 of CPC and for cost of the suit.

Mrs.S.Pushpa Raju
W/o Major C.S.Raju,
No.15, P.V.Churian Crescent Road,
Egmore, Chennai - 600105.

... Plaintiff

Vs.

1. P.Premnath
S/o Late P. Ramachandra Raju,
No.9, Sri Labdi Colony,
Alwarpet, Chennai - 600 018.
- 2.Smt. Leeladevi (died)
S/o Late P. Ramachandra Raju,
C/o Mrs. Shobha Rajasekhar,
No.11, Vanilai Arasu Street,
Mehtha Nagar, Chennai - 600 029.
- 3.Smt.Latha Anand
W/o Sri R. Anand Kumar,
Rajparis Apartments,
No.162, Grems Lane,
Thousand Lights, Chennai - 600 006.
- 4.Smt.Shoba Rajasekar
W/o DR. K.V. Rajasekar
No.11, Vanilai Arasu Street,
Mehtha Nagar, Chennai - 600 029.

5. Smt.Geetha Nagaraj
W/o Mr. S. Nagarajan,
No.16, Venkataraman Street,
R.A.Puram, Chennai - 600 028.
- 6.Smt.Sheela Venkatesan
W/o Sri. M. Venkat Raju,
No.2, Apoorva Apartments, No.3,
Maharani Chinnammal Road,
Alwarpet, Chennai - 600 018.
- 7.Mr.Mohammed Arief Pasha
S/o Late Mr. Mohammed Gouse peersab,
No.31, Church Street,
II Cross opp 1BP Petrol Bank,
80 Feet Road, 6th Block,
Koramangala, Bangalore - 560095.
8. Mr.M.Seetharam
S/o Late M.R. Muniasamy,
No.91, Lal Bagh Road, Bangalore.
9. Mrs.Savithri
W/o Mr. M. Seetharaman,
No.91, Lal Bagh Road, Bangalore.
- 10.Mr.P.Surendra Raju
Vasanth Apartments, No.57,
Thirumalai Pillai Road, T. Nagar,
Chennai - 600 017

(Defendants 7 to 10 impleaded as per order dated 26.11.2014 in A.No.478 of 2012)

... Defendants

This case came up for settlement before the Lok Adalat.Mr.E.Senthil Kumar for M/s.Sampath Kumar

Associates, learned counsel for the plaintiff and the

Mr.Prahalad Bhat, learned counsel for the defendants 1 to 6, and Mr.M.Vijaya Kumar, learned counsel for the 10th defendant are present and the defendants 7 to 9 are set-exparte.

TERMS OF SETTLEMENT

The plaintiff and his counsel are present. Defendants 1,3,4 & 10 are present and their respective counsels are also present. Defendants 5 and 6 authorized 1st defendant to represent on their behalf. A memo of compromise has been filed along with settlement agreement dated 23.04.2018 signed by all the parties.

2. The suit is for partition and except the plaintiff, other parties accepted the family arrangement between them. The plaintiff who protested is given Rs.18,00,000/- (Rupees eighteen lakhs only) by way of cheque No.761479, dated 23.04.2018 drawn on Indian Overseas Bank, Gemini Circle Branch Chennai - 86, in full quit of her claim. The compromise memo and the settlement agreement dated 23.04.2018 are filed and they shall form part of the award.

3. The entire court fee shall be refunded as per rules. Cheque for the same shall be issued in the name of plaintiff identified by the learned counsel of the plaintiff.

4. In view of the memo of compromise and settlement agreement dated 23.04.2018 this Civil Suit is disposed of accordingly.

Mrs.S.Pushpa Raju

Counsel for the Plaintiff

1. P.Premnath

2.Smt.Latha Anand

3.Smt.Shoba Rajasekar

4. Smt.Geetha Nagaraj

5.Smt.Sheela Venkatesan

(Defendants 5 and 6 represented by authorized signatory Mr.P.Premnath, 1st defendant herein.)

Counsel for the Defendants 1 to 6

6.Mr.P.Surendra Raju

Counsel for the 10th Defendant

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

The full Court fee paid 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.

Sd/-
Judge

Sd/-
Member

Sd/-
Member

Sd/-
 Assistant Registrar(LA)

// The Certified to be true copy //

Sub-Assistant Registrar(OS)

To
 The parties/Advocate concerned

Copy to

1. The Secretary, High Court Legal Services Committee, Chennai.
2. The Section Officer, V.R. Section, High Court, Madras.
3. The Record keeper, Original Side, High Court, Madras
4. The Section Officer, Lok Adalat Section, High Court, Madras. (+2 copies)

C.S.No.628 of 2009

23.04.2018