

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

Lok Adalat-II organised by the High Court Legal Services
Committee

Tuesday, the 22nd day of January 2019

LOK ADALAT AWARD

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

The Hon'ble Mr.JUSTICE M.JEYAPPAUL (Retd.)

and

Members

Mr.S.Sathiyamurthy
Mr.M.Dhamodharan

S.A.No.606 of 2013 and M.P.No.1 of 2013

Second Appeal has been filed to set aside the Judgment and decree dated 08.08.2012 in A.S.No.1 of 2012 passed by the II Additional District and Sessions Judge, Cuddalore at Chidambaram confirming the Judgment and Decree dated 30.08.2010 in O.S.No.9 of 2007 passed by Subordinate Judge Chidambaram and allow the appeal.

C.Govindarasu .. Appellant/ Appellant/1st Plaintiff
Vs.

The Special Officer,
Kattumannarkoil Panchayat Union,
Kattumannarkoil, Cuddalore District.

.. Respondent/Respondent/Defendant

This case came up for settlement before the Lok Adalat. Both the parties are present. Mr.C.Uma Shankar and Mr.P.Settu, counsel for the appellant and Mr.B.Ram Kumar / sole respondent - Party- in- Person are present.

TERMS OF SETTLEMENT

Appellant along with his counsel is present. Respondent is represented by the Executive Officer Sri.B.Ram Kumar.

2. Appellant being the first plaintiff filed a suit in O.S.No.9 of 2007 before the Subordinate Court, Chidambaram. The suit was partly decreed, in as much as permanent injunction as sought for was granted, but the other reliefs as sought for by the first plaintiff was negated.

3. As the appeal preferred by the first plaintiff ended in dismissal, he chose to prefer the present second appeal before the High Court.

4. The matter was referred by the High Court to the Lok Adalat for settlement.

5. Pursuant to our efforts to settle the dispute between the parties amicably, both the parties have filed a Joint Memorandum of Compromise today.

6. In terms of the compromise, a sum of Rs.97,673/- being the arrears of rent at the rate of Rs.12,500/- per month from 01.04.1998 to 31.03.2005 and at the rate of 12,500/-i.e. at 15% of enhanced rate of rent for every three years from 01.04.2005 to 31.03.2019 was paid by the appellant to the respondent today by way of demand draft. In view of the above settlement arrived at between the parties, the demand notice already issued by the respondent right from 01.04.1998 at the enhanced rate of 15% for every three years is agreed to be withdrawn by the respondent.

7. The appellant has undertaken in the Joint Memorandum of Compromise to pay the future rent on regular basis without any default. The respondent having received the demand draft for the said amount in full quit of the claim made by the respondent, agreed for the compromise entered with the appellant.

8. In terms of the Joint Memorandum of Compromise filed today, the parties prayed before the Lok Adalat to dispose of the appeal.

9. In view there of the Second Appeal stands disposed of in terms of the Joint Memorandum of Compromise filed today and recorded by us. The aforesaid Joint Memorandum of Compromise filed by the parties shall form part of the decree.

10. The full Court fee shall be refunded to the appellant 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 and there shall be no demand for additional Court fee.

Sd/-
C.Govindarasu

Sd/-
Counsel for the appellant

Sd/-
The Special Officer
Kattumannarkoil Panchayat Union,
Kattumannarkoil
Cuddalore District.

Sd/-
Party - in - person

Sd/-
Judge

Sd/-
Member

Sd/-
Member

*Xerox Copy of the Joint Memo of Compromise enclosed

Sd/-
Assistant Registrar(L.A.)

//True copy//

Sub Assistant Registrar

To:The parties/Advocate concerned

Copy to:

1. The II Additional District and Sessions Judges, Cuddalore, Chidambaram
2. The Subordinate Judge, Chidambaram.
- 3.The Secretary, High Court Legal Services Committee, Chennai.
- 4.The Section Officer, V.R.Section, High Court, Madras. 2 copies
- 5.The Section Officer, Lok Adalat Section, High Court, Madras.+2 copies

SS(CO)
GMY(04/06/2019)