

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 13th day of July, 2019

LOK ADALAT AWARD

(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. M.Sambasivam, Dist.Judge(Retd.)
Mr. A.Kothandaraman

A.S.No.482 of 2017

(Appeal against the Judgment and Decree passed on 05.06.2017 in O.S.No.90 of 2016 the file of the Principal District Court, Namakkal).

G.S.Tamilselvan .. Appellant
Vs.

Kanagadhara Finance Partnership Firm
Represented by its Managing Partner V.Baskaran
No.67, Mohanur Main Road,
Namakkal Town. .. Respondent

This case came up for settlement before the Lok Adalat. Both the parties are present. Mr.M.Raja Sekhar, learned counsel for appellant and Mr.T.Dhanyakumar learned counsel for the respondent are present. After mutual discussion, negotiation, mediation and conciliation between both parties, they arrived at a compromise to settle the matter as follows:

TERMS OF SETTLEMENT

Appeal in A.S.482 of 2017, pending on the file of the High Court of Madras, has been referred to Lok Adalat for consideration today.

2. The appellant has filed a suit for recovery of a sum of Rs.10,01,750/-, with interest at 12% per annum, on the principal amount of Rs.7,50,000/-.

3. After considering the materials, the trial Court has granted a decree

to pay a sum of Rs.10,01,750/-, with subsequent interest at 6% per annum on the principal amount of Rs.7,50,000/-.

4. Aggrieved at the judgment and decree passed by the Trial Court, the sole defendant as appellant has preferred an appeal in A.S.No. 482 of 2017 on the file of the High Court Madras.

5. During, the pendency of the appeal, the Hon'ble High Court was pleased to grant stay in the appeal on deposit of Rs.4,86,184/-. After great deliberation and discussions, both parties have compromised the disputed claim by paying some additional amount in addition to the amount already deposited before competent Court as per order of the Hon'ble High Court. It is also agreed between both parties that the appeal suit should be withdrawn by recording full satisfaction of the decree amount.

6. In view of the compromise arrived at between both parties, the appellant is permitted to withdraw the appeal suit and full satisfaction of the decree amount is recorded. Award is passed accordingly. The plaintiff is permitted to withdraw the sum of Rs.4,86,184/- along with accrued interest if any, from the trial Court. There shall be no order as to costs.

G.S.Tamilselvan

Counsel for the appellant

Kanagadhara Finance Partnership Firm
Represented by its Managing Partner V.Baskaran
No.67, Mohanur Main Road,
Namakkal Town.

Counsel for the respondent

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

The full Court fee paid 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.

Member **Judge** Member

To: The parties/Advocate concerned

Copy to:

1. The Principal District Court, Namakkal
2. The Secretary, High Court Legal Services Committee, Chennai.
3. The Section Officer, V.R. Section, High Court, Madras.
4. The Section Officer, Lok Adalat Section, High Court, Madras.

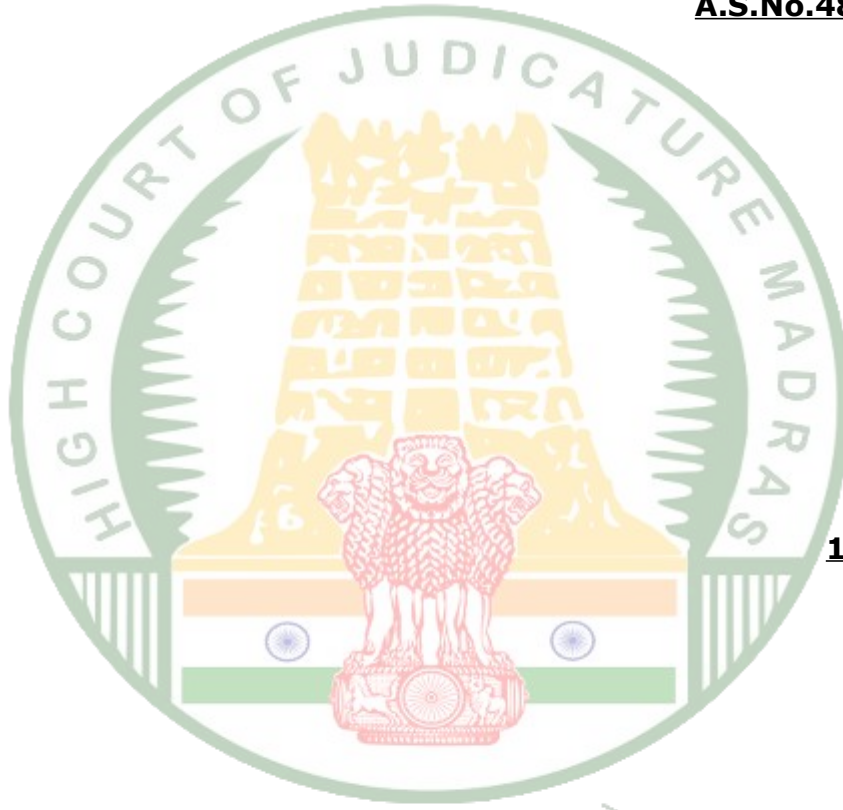


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P.THANGAVEL, J. (Retd.)

rpl/dua

A.S.No.482 of 2017



13.07.2019

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