



HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

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

Wednesday, the 27th day of February, 2019

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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

1. Mr.P.Ganesan
- 2.Mr.V.Nanmaran

S.A.No.581 of 2017

(This Second Appeal is filed against the Judgment and decree dated 17.03.2017 made in A.S.No.25 of 2015 on the file of III Additional District and Sessions Judge, Coimbatore confirming the Judgement and Decree dated 07.01.2015 made in O.S.No.718 of 2009 on the file of III Additional Subordinate Judge, Coimbatore.)

S.Muthusamy

.... Appellant

Vs.

- 1.P.Sundaram
- 2.Vasanthamani
- 3.Kanthamani
- 4.G.Rajendran
- 5.N.Yasodha Devi

.... Respondents

On representation of counsel for both sides, this case is taken up for settlement before the Lok Adalat. Both the parties are present. Mr.R.Bharathkumar learned counsel for the Appellant and Mr.K.P.Chandrasekaran, learned counsel for the respondents 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

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The Appellant / Plaintiff has filed a suit in O.S.No.718 of 2009 on the file of III Additional Subordinate Judge, Coimbatore against the Repondents 1 to 3 namely P.Sundaram, Vasanthamani, Kanthamani herein for a declaration that the sale deed dated 24.05.1995 executed by the Appellant / Plaintiff in favour of the 1st defendant / 1st Respondent is null and void, unenforceable and not binding upon the plaintiff.

The suit was dismissed by the Judgement and decree dated 07.01.2015. Against which the appellant herein has filed AS.No.25 of 2015 on the file of III Additional District and Sessions Judge, Coimbatore and the said appeal was also dismissed by the Judgement and Decree dated 17.03.2017. Aggrieved by that, the present Second Appeal has been filed.

It is submitted that during pending of second appeal proceedings, the Respondents 2 and 3 have jointly conveyed the suit property by a Sale Deed dated 19.08.2015 in favour of the purchaser, it is also registered on the file of Sub Registrar, Gandhipuram.

G.Rajendran and N.Yasodha Devi are not parties in the second appeal. However on the application filed by the learned counsel for the appellant the respondents 4 and 5 are impleaded as parties and the said application be impleaded them in order. The purchasers namely G.Rajendran and N.Yasodha Devi herein are impleaded as parties.

The fifth Respondent has given the Power of Attorney for the 4th Respondent to appear before this forum and sign in the memorandum of compromise. Copy has been produced and it is taken and recorded.

In view of the above compromise, the Second Appeal Shall stand disposed of in terms of Joint memo of compromise. The joint memo of compromise which shall form part of the Award. Consequently, connected Miscellaneous Petitions are closed, if any.



***The full Court fee paid shall be refunded to the appellant in the manner 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 ISA Act 1987 as amended in 1994.**

Sd/-
S.Muthusamy

Sd/-
counsel for the Appellant

P.Sundaram

Vasanthamani

Kanthamani

Sd/-
G.Rajendran

Sd/-
N.Yasodha Devi

Sd/-
Counsel for the Respondents

Sd/-
Judge

Sd/-
Member

Sd/-
Member

Sd/-
Assistant Registrar
Dated:27/04/2019

*Corrected order to
be issued
Sd/-
Assistant Registrar
Dated:16/07/2019

//True Copy//

Sub Assistant Registrar



To

1. III Additional District
and Sessions Judge, Coimbatore.
2. III Additional Subordinate Judge,
Coimbatore.
3. 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. + 2 copies

To be substituted the
Order already
despatched on
30/04/2019

SA.No.581 of 2017

ev[col]
srg 07/08/2019