

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

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

Monday, the 27th day of January 2020

LOK ADALAT AWARD

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

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

and

Member

Mr.N.Balasubramanian

S.A.No.1279 of 2003 and C.M.P.No.10972 of 2003

(Second Appeal filed against the judgment and decree dated 23.09.2002 made in A.S.No.34 of 2002 on the file of the Court of Principal District Judge, Nagapattinam confirming the judgment and decree dated 19.10.2001 made in O.S.No.56 of 2000 on the file of the Court of Principal Subordinate Judge, Nagapattinam)

Ramaiyan .. Appellant /Defendant

Vs.

Jeyaprakash .. Respondent/Plaintiff

This case came up for settlement before the Lok Adalat. No appearance for the both parties.

TERMS OF SETTLEMENT

Notice sent from the High Court on 07.02.2007, to the respondent viz., Jayaprakash returned with an endorsement "Expired". When the death of respondent was brought to the notice of the Court on 12.03.2007, time was granted to take steps to bring on record the legal heirs of the deceased sole respondent. On 15.12.2009 and also on 05.04.2013, there is a mention in the notice paper that no steps appears to have been taken to bring on record legal heirs of the sole respondent in the second appeal. There is also an order on 16.12.2009 passed by his Lordship Hon'ble Mr.Justice R.Sudhakar directing that the second appeal shall stand dismissed automatically as against the concerned respondent without reference to the Court in the event of failure to pay batta.

2. As no steps appears to have been taken on or before 06.01.2010, the second appeal should have been dismissed automatically as per the order of his Lordship Hon'ble Mr.

Justice R.Sudhakar.

3. Even otherwise the respondent having died in February 2007, as no steps have been taken to bring on records the legal heirs, the second appeal gets automatically abated. Office is directed to send the papers to the Record Section.

4. However, if the appellant is interested, he can move the High Court to restore the second appeal.

Sd/-
Judge

Sd/-
Member

Sd/-
Assistant Registrar (CS-I)

//True Copy//

Sub Assistant Registrar

To: The parties/Advocate concerned

Copy to:

1. The Principal District Judge,
Nagapattinam.
2. The Principal Subordinate Judge,
Nagapattinam.
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

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NMI (CO)
GN(05/03/2020)