



C.R.P.(NPD).No.1620 of 2022 and
C.M.P.No.8120 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.06.2022

CORAM:

THE HON'BLE Ms.JUSTICE **R.N.MANJULA**

C.R.P.(NPD).No.1620 of 2022 and
C.M.P.No.8120 of 2022

Shoba @ Sagayamarie Leville

... Petitioner

Vs.

1.Babu Leville (died)

2.Gloria Thenmozhinathan

... Respondents

PRAYER : Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the order and award passed by the Lok Adalat case No.4957 of 2021 in O.S.No.16 of 2015, dated 28.12.2021, on the file of the Hon'ble Family Court Judge at Puducherry.

For Petitioner : Mr.V.Ajayakumar

ORDER

This civil revision petition has been filed to set aside the order and award passed by the Lok Adalat case No.4957 of 2021 in O.S.No.16 of 2015, dated 28.12.2021, on the file of the Hon'ble Family Court Judge at Puducherry.



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2. Heard the learned counsel for the petitioner.

3. The petitioner is a plaintiff in the suit. The respondents are the defendants in the suit. The case appears to have been settled during Lok Adalat in terms of the joint compromise memo filed by the plaintiff and the second defendant and on the basis of the same, an award has been passed. Now, the petitioner is challenging the award by stating that the award is not legally binding and it came into existence because of the misguidance given to her by her counsel.

4. The learned counsel for the petitioner submitted that the award is illegal and it is not in consonance with the prayer sought by the petitioner in her suit.

5. On perusal of the award, it is seen that as per the terms of compromise memo, the plaintiff had agreed to allow the suit to be dismissed as not pressed by agreeing to get a sum of Rs.10,00,000/- as full and final settlement in connection with the retirement benefits of the deceased first defendant who had nominated the second defendant to receive his pensionary benefits and other auxiliary benefits. Having agreed to the terms of



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compromise, the petitioner allowed the award to be passed in terms of the compromise. Now, the petitioner is before this Court by stating that the compromise was not agreeable to her. It is seen that the petitioner has not preferred an appeal challenging the compromise on any allegations of fraud or coercion. After an award passed by the Lok Adalat by recording a joint compromise memo filed by both the parties and thereafter, if one of the parties to the compromise turns around due to an after thought and challenges the award, that is not acceptable. If the petitioner is really aggrieved due to the misguidance given by her counsel, she ought to have sought remedy through appropriate legal recourse.

6. Therefore, I find no grounds to entertain this civil revision petition. Accordingly, the same stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

09.06.2022

Index: Yes/No
Speaking / Non Speaking Order
gsk
To
The Family Court Judge, Puducherry.



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R.N.MANJULA, J

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